

REGULAR MEETING MINUTES - SEPTEMBER 26, 1994

The Board of Commissioners of the City of Pikeville conducted their regular monthly meeting on Monday, September 26, 1994. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

There being a quorum present, Mayor Steven D. Combs called the meeting to order at 6:09 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

AGENDA ITEM II.

MINUTES

The minutes for the previous regular meeting of August 22, 1994 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Clark made the motion, seconded by Commissioner Blankenship to approve the minutes as submitted. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM III.

BUSINESS FROM THE FLOOR

A. CIVIC CENTER: Will Linder of Will Linder & Associates appeared before the Commission concerning funding sources for the construction of a proposed civic center. Mr. Linder identified five possible sources as follows:

1. Appalachian Regional Commission (ARC): The grant application for these funds must be filed by October 1, 1994. Funds totaling between \$200,000 and \$300,000 are the maximum grants available with a 50% match by the local entity. According to Mr. Linder, these funds may be utilized for the preparation of a feasibility study.
2. UDAG: Should the UDAG program be extended, funds could be expended through private business - eg - hotel construction or expansion. This requirement would not be necessary if the program is not extended and the City is able to retain 25% of the unexpended UDAG funds. According to Mr. Linder, the recaptured UDAG Funds could be devoted entirely to the civic center project.
3. Hotel/Motel/Restaurant Tax: Mr. Linder advised the Commission that some cities have devoted the 3% (maximum allowable) fees collected from the Hotel/Motel/Restaurant Tax to civic center projects.
4. Economic Development Agency (EDA): Funds could be applied for through the EDA if the project is in conjunction with other developments which provide employment.
5. Additional taxing source: Mr. Linder advised that the Commission could levy a tax on the facility itself.

Mayor Combs reported that a group from the school and the county had met to discuss the proposed construction of a civic center. Mr. Linder advised that he would be willing to assist any group in the development of a civic center project.

Relative to the funding status of the Harolds Branch/Chloe Creek/Ferguson Creek sewage line extension project, Mr. Linder advised the Commission that release of the Community Development Block Grant Funds is contingent upon two things: 1, the release of the Kentucky Infrastructure Authority (KIA) funds and 2, the receipt of the Clearinghouse comments. According to Mr. Linder, Clearinghouse comments are expected within two to three weeks. Mr. Linder reported to the Commission that the Division of Water has made the determination that the pond cleanup segment of the project has been declared ineligible for funding through the KIA Fund A. A loan has been negotiated for this portion of the project through Pikeville National Bank. The KIA Board is expected to meet on the 28th or 29th of October.

B. THIRD STREET: Jeanette Anderson, representing property owners on Third Street, asked the Commission to consider designating the end of Third Street, adjacent to the river fill area, as a dead-end street. According to Ms. Anderson, the owner of the two residential parcels in the river fill which are adjacent to Third Street, Judy Walters, has agreed with the concept to allow the end of Third Street to be declared a dead-end street. Commissioner Blackburn made the motion, seconded by Commissioner Clark to designate Third Street as a dead-end street. Upon call of the roll, the motion carried unanimously.

C. TELE-MEDIA REPORT: Wayne Harrison appeared before the Commission to advise of his company's progress in the improvement of the cable service for Pikeville. According to Mr. Harrison, his crew is installing the last 3 miles of fiber optic and expects the splicing to begin next week. While Tele-Media is slightly ahead of the October 31st deadline, Mr. Harrison advised the Commission that he has yet to receive the fiber optic electronics, however he expects those to be delivered by next Monday. City Manager Johnson asked if Tele-Media plans to offer additional channels once the upgrade is completed. Mr. Harrison advised that Tele-Media will be unable to offer additional channels because their coaxial cable is not being upgraded at this time.

D. ISTEAL GRANT: Paula Thompson, Executive Director of the Pikeville Main Street Program, advised the Commission that an ISTEAL grant application has been submitted for about \$2 million in grant funds to be used for the rehabilitation of the Pikeville Academy Building. It is expected that grant recipients will be notified by October 15th. City Attorney Davis explained the grant funds are a part of a program sponsored by the Transportation Cabinet. According to Mr. Davis, the City, through its sponsorship of the grant application, will be liable for the 20% required cash match. Ms. Thompson reported to the Commission that the matching

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funds are available through previous fund-raisers, however, she recommended that this information be verified by Historic Preservation Board Chairman, Betsy Venters. The Commission was advised that one of the Historic Preservation Board's members, Myra Chico, planned to be present to address this matter, however she was not present at this time. The Commission postponed action with regard to this item until a report is heard from Ms. Chico.

E. MAIN STREET PROGRAM REPORT: Main Street Program Executive Director, Paula Thompson, gave a verbal report of this agency's activities. Ms. Thompson told the Commission that Main Street has a new Chairman, Betsy Venters, due to the resignation of John Hiers from the Board. Ms. Thompson announced that the Christmas Parade will be held on December 3, 1994. The Main Street Program is in the process of acquiring information for the placement of street banners for the boulevard and the downtown area. Additionally, Ms. Thompson reported that she has been working with Jim Ellis in the design of two "Welcome to Pikeville" cluster-type signage. She asked the Commission to designate areas for the placement of these signs. Ms. Thompson explained that with the use of the cluster signs, various civic and religious organizations would be able to place their insignias. The Commission directed the City Engineer to work with Ms. Thompson in locating two areas for the placement of the signs. Ms. Thompson invited the Commission to attend the Main Street Board's next meeting on October 11, 1994 at 11:00 a.m. in the Chamber of Commerce Offices. With regard to the City's representative on the Main Street Board, Mayor Combs announced that Robert Combs will serve as his proxy.

F. HAROLDS BRANCH SEWAGE EXTENSION: Charles Comer, a resident of Harolds Branch, asked if the location for the placement of the sewage lines had been determined for this utility extension. City Engineer Sykes reported that he has designated the majority of the line placement on the map. He reported that he is in the process of identifying property owners and preparing the necessary easements. Mr. Sykes invited Mr. Comer to come by his office to view the proposed location of the sewage line. Mr. Comer asked if this project would involve any upgrade to the water lines so that fire hydrants could be installed. Mr. Sykes explained that no funding is available for any upgrading of the water line. The City Engineer told the Commission that he thought the water line was large enough to accommodate fire hydrant placement. Mayor Combs asked the City Engineer to review the situation to determine any necessary action to provide adequate fire protection.

G. HOOPWOOD HOLLOW WATER EXTENSION: Mike Corbin appeared before the Commission and explained that he and his brother are in the process of developing property located on the right fork of Island Creek, known as Hoopwood Hollow. Mr. Corbin advised that the City owns the water line that serves this area. Mr. Corbin proposes to provide an additional eight to ten more housing lots and presented three cost proposals to the Commission for the extension of the water line. There are currently eight houses on Hoopwood

Hollow. Since the property is not located within the City Limits, the Commission was not in favor of extending the water line, however was agreeable to allow Mountain Water District to purchase water from the City if Mountain Water District agreed to install the water line. Commissioner Blackburn made the motion to authorize Mountain Water District to tap on to the City's line and to set a meter if they are willing to undertake the project to supply water to Hoopwood Hollow. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried 4 - 0 - 1 (Commissioner Clark abstained from the vote).

H. WRECKER SERVICE: Pam Robinette, on behalf of Abner Justice operator of Village Wrecker Service, asked the Commission to investigate Mr. Justice's complaint that the City Police Department utilizes the services of wrecker services which are not licensed to do business within the City of Pikeville or whose businesses and storage areas are not located within the City of Pikeville. A petition from members of the community was also presented which called for the reestablishment of Village Wrecker Service to the rotation list. Mayor Combs stated that he would abstain from any action with regard to the matter because of his representation of several individuals on the list. Ms. Robinette stated that Mr. Justice believes that an investigation of the logs will show a pattern of referrals to one particular wrecker service. Police Chief Edmonds told the Commission that Commonwealth Attorney, John Paul Runyon, along with former Mayor, Walter E. May, and former City Attorney Larry Webster, who developed the guidelines for obtaining wrecker assistance, have reviewed the logs in question and have found no evidence of impropriety. Mr. Justice indicated that Mr. Runyon did telephone the Police Chief and ask that his wrecker service be added back to the rotation list. Chief Edmonds advised the Commission that Village Wrecker was on the City's wrecker call list for a number of years, but was removed from that list. Ms. Robinette confirmed that Mr. Justice had been removed from that list. She alleged the reason for removal stemmed from Mr. Justice's questioning why he received calls for the towing of junk cars and Robertson's Wrecker Service received the majority of the other calls. Chief Edmonds explained that the reasons for Village Wrecker Service's removal from the list was due to Mr. Justice's accusations of impropriety against the police officers and himself and Mr. Justice's use of profanity. Ms. Robinette contended that Mr. Justice simply questioned if the referrals were being made on a rotating basis. City Attorney Davis reported that he had reviewed the wrecker referral policy and the logs. Mr. Davis reported that he did not see any evidence that favoritism had been shown to Robertson's Wrecker Service. Copies of the log for the previous year were provided to the Commission and Ms. Robinette for review. Ms. Robinette asked that Village Wrecker Service be placed back on the rotation list while the matter is investigated. Two letters, from Sgts. Ferrell and Sanders were publicly read which gave their account of the matter that led to Village Wrecker Service's removal from the rotation list. Ms. Robinette contended that the actions were not grounds for punishment. City Attorney Davis

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explained that the tone of the letter was improper and further stated that Village Wrecker Service need not be reestablished on the list until it has been determined that the Police Department acted improperly. Ms. Robinette told the Commission that she would review the logs and other documentation and send the written findings to them.

I. ETHICS POLICY: Walter P. Walters, Jr., asked the Commission whether they had been given a copy of the proposed ethics policy to review. Mayor Combs reported that the Commission had been given a copy of the ethics policy and were scheduled to meet to review the policy, however the meeting was cancelled due to lack of a quorum.

AGENDA ITEM IV.

PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$393,503.76 was presented to the Commission for approval of payment. Commissioner Blankenship made the motion, seconded by Commissioner Davis to approve payment of the bills as requested. Upon call of the roll, the motion carried 5 - 0.

AGENDA ITEM V.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes representing Summit Engineering, Inc., City Engineers, presented a report of ongoing projects as follows:

1. Pauley Bridge: Mr. Sykes presented the Commission with the written report from the structural engineer who inspected the Pauley Bridge. Mr. Sykes highlighted several paragraphs of the report as follows:

"For the most part, the components of the bridge have remained in good condition and show normal wear due to time. The support components below the bridge deck have the most deterioration. The upstream cable is pulled higher than the downstream cable. For the system to work properly, the cables must be pulled to the same profile and be symmetrical with each other. The result of the existing conditions produces differential deflection when loads are applied. The upstream cable was measured to be about 8" higher than the downstream cable. The two sides of the bridge are not symmetrical and the upstream side suspender bars are shifted toward the US23 end, when compared to the downstream side suspender bars. Several of the suspender rods are bent and deformed. Another problem observed with the suspender rods is that the upstream rods are longer than the downstream rods. This is evidenced by the fact that the deck has a definite slant down to the upstream side of about 1 foot, while the upstream cable is pulled 8 inches higher than the downstream cable. This has created a very unsafe condition for driving as well as pedestrian travel."

The structural engineer estimated the cost for the repair of the Pauley Bridge at \$160,000.00.

Mayor Combs directed the City Manager to make the report available to all interested parties and place the matter on

the agenda for the next regular meeting.

Commissioner Clark asked if the Pauley Bridge repairs would be eligible to receive funds through the ISTEA program. City Attorney Davis reported that it would be, however, staff was unable to advise if the ISTEA funds are available on an annual basis.

2. Cassady Boulevard: Presented was a cost estimate for the construction of an additional traffic lane on Cassady Boulevard in lieu of repairs on the Pauley Bridge. Mr. Sykes advised that a 12 foot traffic lane could be constructed for about \$110,000.00. Easements are in place to allow this construction. Commissioner Blankenship asked what the yearly maintenance cost on the Pauley Bridge is expected to be. The City Engineer advised that maintenance on the bridge would be more costly than maintenance for the additional traffic lane. Mayor Combs asked if SEI & Development Corporation could amend their request for UDAG funds to include the construction of the additional traffic lane. Mr. Sykes advised that he would send the information to SEI for their consideration.

3. Cedar Creek Drainage: Mr. Sykes advised that he had prepared plans and has received approval from the Department of Transportation for drainage improvement in the vicinity of 97 Cedar Creek Road. The project involves the installation of an 18 inch culvert and two catch basins. A bid summary was presented which ranged in costs from \$9,600.00 to \$10,275.00. The low bid was received from Patriot Construction Company. City Engineer Sykes told the Commission that other drainage problems do exist, however he does not think those problems are as significant as this matter. The engineer's initial cost estimate was \$8,500.00. Mr. Sykes explained the difference in the estimate and the low bid was due to traffic control provisions. He added that he thought the increase was reasonable. Discussion was had concerning whether the property owner should pay a portion of the cost to correct the drainage. City Attorney Davis asked the Caseys if they have filed suit against the former property owner. Dr. Casey advised that she is discussing this possibility with her attorney since the problems were not disclosed to her at the time of sale. The City Attorney suggested that the Caseys reimburse the City 50% of the amount recovered from the former property owner if they file suit, not to exceed 50% of the bid. Dr. Casey offered to pay the difference between the bid amount and the engineer's estimate. Commissioner Blackburn suggested setting an established percentage for property owners to participate in the cost for these type of repairs. Mayor Combs made the motion to accept the low bid from Patriot Construction, subject to the Caseys reimbursing the City 20% of the bid amount. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried 5 - 0.

4. Subdivision Regulations: Included with the Commission's agenda package was a letter from the Pikeville/Pike County/Elkhorn City Joint Planning Commission Chairman, Richard Elswick, advising of that Board's approval

of the proposed Subdivision Regulations. City Attorney Davis advised that the Statutes provide for adoption of regulations by the Planning Commission, however do not stipulate the regulation's adoption by the City Commission. Mr. Davis commented that the regulations are now in effect, but has prepared an Ordinance for the City Commission's approval which would confirm the Planning Commission's action. Commissioner Davis questioned why the Commission would want to adopt the regulations if they are not mandated by law to do so. The City Attorney explained that the City Commission may want to show their support of the regulations since the regulations were formulated pursuant to the request of the City Commission. City Manager Johnson asked if the Commission could show support of the Subdivision Regulations by adopting the guidelines by motion or resolution. The City Attorney advised that a resolution would be appropriate. Commissioner Blackburn asked if the Commission could ask for amendments to the regulations. The City Attorney advised that the Planning Commission would probably adopt any amendments the City Commission suggested. The Commission discussed various aspects of the regulations concerning buffering, street widths and sidewalks and heard comments on these issues from Bob Billips and Steve Ratliff. Mr. Ratliff voiced his support for the 22 ft. street width provision. Commissioner Davis stated his objections to the provision that the developer must install sidewalks. City Engineer Sykes advised the Commission that this provision was made by the Planning Commission, not by the Advisory Committee. He further stated that a clause had been added to the regulations to allow potential developers to obtain waivers to most of the provisions. It was recommended that the City Commission review the regulations and submit any comments to the City Attorney. Mayor Combs stated that City Attorney Davis would be directed to schedule a meeting with the Joint Planning Commission to discuss any possible amendments.

5. YMCA Entrance: City Engineer Sykes advised the Commission that he had been contacted by YMCA officials who have requested the relocation of the entrance to the YMCA down further on Bob Amos Road. Mr. Sykes explained the request was made to allow the YMCA to make better use of the property. The Commission expressed their concerns for the steepness of the 11% grade. They also requested comments from the Little League. City Engineer Sykes told the Commission he would flag the area and invite all parties concerned to look over the situation.

5. Water Tank Painting: Presented to the Commission were three bids ranging in cost from \$70,567.00 to \$72,500.00 for the painting of the Toler Gap and Smith Hill #1 Water Tanks. The low bid was submitted by Aaron Construction Company. City Engineer Sykes reported that he had received favorable references. The project will be bonded for the full amount. Upon the City Engineer's recommendation that the bid be awarded to the low bidder, Aaron Construction Company, Mayor Combs made the motion, seconded by Commissioner Blankenship to award the bid for the painting of the Toler Gap and Smith Hill #1 Water Tanks to Aaron Construction Company. The City Manager advised the

Commission that \$50,000.00 had been budgeted for this project. The additional funds needed are available through an earlier water project. Upon call of the roll, the motion carried unanimously.

7. Industrial Rubber: A request was presented to the Commission from Ralph Spencer of the Industrial Rubber Company asking that the street serving the substation adjacent to the new Industrial Rubber Company building be filled to the level of the adjacent street and paved. The project is estimated to cost approximately \$10,000.00. The cost estimate includes the placement of three feet of fill material and paving a 24 foot roadway across the fill. A culvert will be placed beneath the fill to insure drainage from the substation. Commissioner Blankenship made the motion to approve the request. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried 5 - 0.

8. Sewage Extension: The City Engineer explained that enough of the preliminary plans for the sewage extensions to the Harolds Branch/Chloe Creek/Ferguson Creek areas have been completed to allow someone to begin negotiating the easements. Mr. Sykes advised the Commission that the City will need to obtain approximately 82 easements on Harolds Branch and he expects that many will be needed on Chloe Creek. The City Manager was directed to advertise for an individual to negotiate the necessary easements. Mr. Sykes added that the individual need not be a certified appraiser but needs to possess some knowledge with regard to property assessment.

9. Cedar Gap Paving: According to City Engineer Sykes, AML has damaged a portion of the roadway in Cedar Gap where they have been under construction on an abandoned mine project. AML has agreed to provide 300 tons of asphalt toward the repaving of the road. Mr. Sykes estimated that an additional 116 tons of asphalt will be needed to restore the roadway back to its original condition. The City Manager asked the City Engineer to determine a cost for overlaying Kati Street and Evan Street, also in the Cedar Gap Subdivision. According to Mr. Sykes, total City cost for the entire project is estimated at \$16,948.00. City Manager Johnson advised that \$4,200.00 had been budgeted for this project, however reported that funds are available for the entire project. City Engineer Sykes gave his opinion that repaving is needed. Commissioner Blankenship made the motion to repave the streets in the Cedar Gap Subdivision as requested. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried 4 - 0 - 1 with Mayor Combs abstaining from the vote.

10. Flood Study Update: Mr. Sykes reported that he is still working on the update of the flood study.

11. Huffman/Hambley Traffic Signal: Presented to the Commission were three cost estimates from Shely Construction Company relative to the installation of a traffic control light at the intersection of Hambley Blvd/Huffman Avenue.

The estimates ranged in cost from \$60,427.29 (Mast AAM Poles) to \$43,850.48 (wood poles). The Commission was advised that these prices are pursuant to State Price Contract. City Manager Johnson advised the Commission that should they choose metal poles, delivery time is expected at 16 weeks. Wood poles are available in a month. \$50,000.00 has been budgeted for this project. Commissioner Blankenship made the motion, seconded by Commissioner Clark to approve the installation of the traffic control device on a wood pole. Upon call of the roll, the motion carried 5 - 0.

12. Buckley's Creek Bridge Lights: Pursuant to a request from Commissioner Davis, City Manager Johnson advised that two roadway lights can be installed on the Buckley's Creek Bridge at the Lowes entrance for \$8,598.42. The lights will be installed utilizing used wood poles. Mr. Johnson advised that he has been in contact with Joe Anderson of the Department of Transportation who reported that a letter has been sent to Frankfort requesting that the State provide lighting for the intersection. The City Manager advised that while no monies had been budgeted for this project, \$7,500.00 remains unused in the traffic light budget. Mayor Combs asked if the developer had been asked to participate in this project. Mr. Johnson advised that he had not, but that he would contact the developer. Commissioner Davis made the motion, seconded by Commissioner Blackburn to authorize Shely Construction to install two roadway lights on the Buckley's Creek Bridge as proposed. Upon call of the roll, the motion carried 5 - 0.

13. Bob Amos Park Walking Track: An estimate has been received in the amount of \$85,000.00 for the resurfacing of the Bob Amos Park Walking Track. The estimate includes milling, asphalt overlay and the application of a new rubberized surface. Contractor, K & L Sealers, recommended the placement of the 1 inch asphalt overlay at this time, and allow the overlay to cure over the winter months. They recommended waiting until spring to install the rubberized surface. City Engineer Sykes advised that his is concerned about feedback from citizens who regularly use the walking track. He recommended that the Commission wait until early spring to mill the track. He felt that 3 to 4 weeks was a sufficient curing time for the asphalt. The Commission decided to wait until spring to begin repair work on the walking track.

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

1. Amphitheater Board: City Attorney Davis presented and gave second reading to an Ordinance creating the City of Pikeville Amphitheater Board. The Ordinance was read entitled:

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

Mayor Combs made the motion to adopt the Ordinance as read. 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	ABSTAIN
	SHARON CLARK	YES
	EUGENE DAVIS	YES

2. Walters Road Speed Limit: Second reading was given to an Ordinance entitled:

ORDINANCE SETTING A SPEED LIMIT ON WALTERS ROAD AT 25 M.P.H.

Mayor Combs 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	YES

3. Zoning: The Commission reviewed a letter of recommendation from the Joint Planning Commission with regard to amending an R-2 Zone in Keyser Heights to R-1. City Attorney Davis gave first reading to the Ordinance entitled as follows:

ORDINANCE AMENDING THE CITY OF PIKEVILLE ZONING MAP FOR THE LEFTHAND SIDE OF KEYSER HOLLOW FROM R-2 TO R-1

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

4. Pike County Fiscal Court: Mayor Combs explained that he had asked the City Attorney to appear before the Pike County Fiscal Court to make a request for the return of a portion of tax dollars paid to the County by City residents. City Attorney Davis advised that he did not appear before the Fiscal Court, however sent a letter to Judge/Executive Donna Damron asking for the County's assistance in a number of projects. He also addressed the matter regarding the tipping fees paid for dumping at the County's Fords Branch Landfill. Commissioner Clark suggested that it may be appropriate for the Commission to meet with the members of the Fiscal Court. The City Attorney was directed to ask for a joint session with the Pike County Fiscal Court.

C. CITY MANAGER'S REPORTS: John B. Johnson, City Manager, gave a verbal report concerning the following items:

1. Retirement: City Manager Johnson reported that he had received the cost analysis from the Kentucky Retirement Systems concerning backfunding the retirement for all current employees from the date the City became a Third Class City (July 1, 1984) through July 1, 1989. Mr. Johnson reported

that the cost of \$371,031.37 includes backfunding for 15 employees who did not participate in the retirement program on July 1, 1989. The cost could be as low as \$220,000.00 depending on whether any of the 15 employees decide to participate in the retirement program. Mr. Johnson advised that the cost could be financed over a 10 year period at 4 1/2 to 5% interest rate. Mayor Combs made the motion to authorize the City Manager to proceed with the study and be prepared to give an accurate cost and to discuss the method of financing at the next meeting. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

2. Computer System: City Manager Johnson advised the Commission that the current computer hardware is approximately 10 years old and is now obsolete. He advised that he has been notified that the \$4,800 yearly maintenance cost is expected to double next year, and triple the year after. Mr. Johnson, along with the Finance Director, Tax Administrator, and Computer Operator have looked at a new system. The AS400 IBM system can be purchased for \$52,000.00. The purchase price is pursuant to State Price Contract. Existing software can be migrated for \$15,000.00. New software will be purchased for utility billing. \$45,000.00 has been budgeted toward the purchase. The City Manager advised that a down payment will be made on the hardware with the remainder of that purchase to be financed over a five year period. The City Manager and Finance Director recommended the purchase of the new computer system. Mayor Combs made the motion, seconded by Commissioner Blankenship to approve the purchase of the new computer system as requested. Upon call of the roll, the motion carried 4 - 0 (Commissioner Clark was not present at the time of the vote.).

3. Halloween Trick-or-Treat: City Manager Johnson recommended that the Commission set the date and time of Halloween Trick-or-Treat on October 31, 1994 from the hours of 6 p.m. to 8 p.m. Mr. Johnson advised that Greg May, representative of the Pike County Judge/Executive's office, told him that the Fiscal Court intends to set the same date and times for Trick-or-Treat for the County. Mayor Combs made the motion, seconded by Commissioner Blankenship to schedule Halloween Trick-or-Treat within the City limits on October 31, 1994 from 6 p.m. to 8 p.m. Upon call of the roll, the motion carried 4 - 0 (Commissioner Clark not present at the time of the vote.).

4. Computer Ambulance Billing: A proposal from Software Development was presented to the Commission for consideration. The proposal provides that Software Development will perform the billing and collection functions for the City's Ambulance Service. Their fee will not exceed a maximum of 6% collected. The contract period is on a month to month basis. Fire Chief Tom Hall recommended entering into the contract with Software Development. Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to enter into a month to month contract with Software Development for the ambulance service billing and

collections. Upon call of the roll, the motion carried unanimously.

5. Ambulance Rates: After discussing the base ambulance rate with Pat Tighe of Software Development, City Manager Johnson and Fire Chief Hall recommended a reduction in the base ambulance rate. It was recommended the base rate be reduced from \$250.00 to \$150.00. It was also brought to the Commission's attention that the City has been charging for round trips. According to Mr. Tighe, the charge can only be assessed for loaded trips. The fee of \$3.50 per mile was established for trips outside the City Limits. Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to approve the rate reductions as recommended, and to review the rates at the end of the year. Upon call of the roll, the motion carried unanimously.

6. Kentucky Heritage Council: Myra Chico addressed the Commission with regard to the ISTE A Grant as discussed earlier in the meeting. According to Ms. Chico, the grant application has been sent in without sponsorship. An application has also been sent to the Bingham Foundation requesting a grant for matching funds. She added that some cash is available for this rehab project. Ms. Chico continued by saying that she did not think that the City is liable to provide the 20% match. Mayor Combs made the motion to endorse the ISTE A grant application subject to the condition that the City is not obligated to pay the 20% match. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

Ms. Chico also requested the Commission to consider approval for the submission of a grant application for the development of a brochure for a Walking Tour of Downtown Pikeville. Ms. Chico advised the award of the grant does not require a monetary match. Commissioner Blankenship made the motion, seconded by Commissioner Clark to approve the submittal of a grant application for the development of a walking tour brochure. Upon call of the roll, the motion carried unanimously.

7. Executive Session: Pursuant to KRS 61.810, Section 3, paragraphs b and f, Mayor Combs made the motion, seconded by Commissioner Blankenship to adjourn to closed session for the purpose of discussing a personnel matter and a property negotiation. Upon call of the roll, the motion carried unanimously. (Adjournment Time: 9:39 p.m.)

At 10:00 p.m., Mayor Combs made the motion, seconded by Commissioner Clark to reconvene to regular session. Upon call of the roll, the motion carried unanimously.

Mayor Combs made the motion to pass a resolution to authorize the City Attorney to negotiate a lease with the State Highway Department potentially for some downtown property. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM VI.

NEW BUSINESS

A. BOARD APPOINTMENTS:

1. Parks Board: Mayor Combs advised that two vacancies exist on the Parks Board. Ruth Chrisman and Wanda Varney have communicated their resignations from this board. Mayor Combs nominated Kenny Schmidt and Dave Thomas to serve on the Board and nominated Commissioner Blankenship to serve as an ex-officio member of the board. Commissioner Blackburn made the motion, seconded by Commissioner Clark to accept the Mayor's nominations of Kenny Schmidt and Dave Thomas to serve as members of the Parks Board and to appoint Commissioner Blankenship to serve as an ex-officio member of the board. Upon call of the roll, the motion carried unanimously.

2. Library: The Commission was advised that the term of Library Board Member, Terry Deskins, has expired. Action to fill the vacancy on the Library Board was deferred to the next meeting.

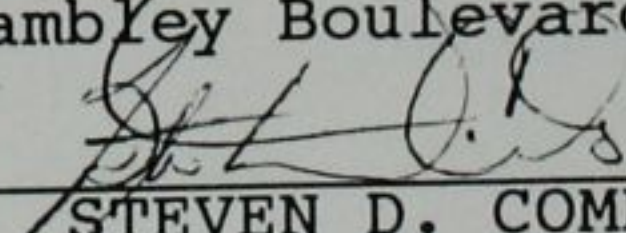
3. Housing Authority: It was reported that Johnny Cornett's term as a member of the Housing Authority Board has expired, however Mr. Cornett is eligible to be reappointed. Due to the fact that Mr. Cornett's firm conducts audits for the City of Pikeville, action was deferred in naming an individual to serve on the Housing Authority Board until the matter can be discussed with Mr. Cornett.

4. County Board of Assessment Appeals: Clinton Daniels communicated his resignation as the City of Pikeville's representative on the County Board of Assessment Appeals. Mayor Combs nominated John Coleman to complete Mr. Daniel's term on the County Board of Assessment Appeals. Commissioner Clark made the motion, seconded by Commissioner Blankenship to approve the Mayor's nomination of John Coleman to serve on the County Board of Assessment Appeals. Upon call of the roll, the motion carried unanimously.

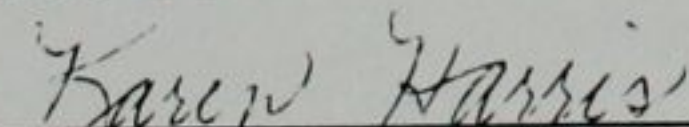
There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Blankenship to adjourn. Upon call of the roll, the motion carried unanimously. (Adjournment Time: 10:10 p.m.)

The City Commission's next scheduled meeting is October 24, 1994 at 6:00 p.m. The meeting will be held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

APPROVED


STEVEN D. COMBS, MAYOR

ATTEST:


KAREN HARRIS, CITY CLERK