

MINUTES } CITY OF PIKEVILLE

PIKEVILLE CITY COMMISSION  
REGULAR MEETING MINUTES  
MARCH 27, 1995

The Board of Commissioners of the City of Pikeville met in regular session on Monday, March 27, 1995. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

At 6:06 p.m., Mayor Steven D. Combs called the meeting to order. 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 Engineer Jack Sykes was absent. Mark Westfall was recognized as acting City Engineer. City Attorney Russell H. Davis, Jr. was absent. Billy Shelton was present and acted as City Attorney.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of February 27, 1995 and special meeting of March 1, 1995 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 unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. MOTOR CYCLE DRAG: Included with the Commission's agenda package, was a letter from Jim's Custom Cycle requesting use of the river fill area along the ditchline to hold a Motor Cycle Dirt Drag during Hillbilly Days. City Manager Johnson reported that he had talked with Shriner, Challie Lucas, who indicated that Mr. Blevins would attend the meeting if he was still interested in conducting the event. No action was taken.

B. YMCA: John Elliott, on behalf of the YMCA, appeared before the Commission to request permission to use the softball field located on the City's property in the Lake Joann area. Mr. Elliott told the Commission that the field would be used for men's softball. YMCA will allow other organizations to use the field and will be responsible for scheduling the activities. In addition, the YMCA will make the necessary repairs to the field and will provide the necessary liability insurance coverage. Commissioner Blankenship made the motion, seconded by Commissioner Blackburn to authorize the City Attorney to prepare the necessary use agreement with the YMCA for use of the softball field with a provision for a 30 day cancellation term by either party. Upon call of the roll, the motion carried unanimously.

C. PARK REVITALIZATION COMMITTEE: Kitty Pauley, member of the Downtown City Park Revitalization Committee, presented a resolution for the Commission's consideration. According to Ms. Pauley, the committee is requesting to be made an official agency of the City until the completion of the City Park improvements proposed in the Master Plan. The resolution provides that the committee will be responsible to oversee and manage, with the advise and consent of the City Commission, the revitalization of the Pikeville City Park. Ms. Pauley presented the City with a check in the amount of \$9,574.54 which represents funds raised by the committee for use as matching dollars for the Land & Water Conservation Fund Grant. The resolution was presented and read as follows:

RESOLUTION CREATING A PIKEVILLE CITY PARK REVITALIZATION COMMITTEE

WHEREAS, the City of Pikeville is currently undergoing project to revitalize the Pikeville City Park

WHEREAS, the Commission for the City of Pikeville believes that it will be beneficial to the City of Pikeville to create a five member committee to oversee this revitalization project.

THEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE THAT THERE IS HEREBY CREATED A PIKEVILLE CITY PARK REVITALIZATION COMMITTEE whose responsibility it shall be to oversee and manage with the advise and consent of the Commission for the City of Pikeville the revitalization of the Pikeville City Park all in accordance with the City of Pikeville Park revitalization plan previously prepared by Helen Powell and approved by the Commission for the City of Pikeville. The finance office shall maintain a separate account for the funds of this committee and the committee shall have the authority to direct the disbursements from this fund.

The five committee members shall be Kitty Pauley, Myra Miller, Betsy Venters, Sue Smallwood and Karen Harris. Commissioner Sharon Clark shall serve as an ex officio member.

Passed this 27th day of March, 1995.

Commissioner Blankenship moved the adoption of the foregoing resolution. Commissioner Blackburn seconded the motion.

Upon roll call, the votes were as follows:

	<u>YES</u>	<u>NO</u>
STEVEN D. COMBS, MAYOR	X	
GENE DAVIS, COMMISSIONER	X	



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~~PERSON OF THE DAY: MAYOR COMBS, MAYOR~~  
 Mayor Combs, representing Summit Engineering, displayed a map depicting the location of access steps from the river fill area up to the City Park level and adjacent to the gazebo. Bids for the construction of the 49 feet long, 8 feet wide steps were solicited from three local contractors, however bids were submitted from only M & S General Contractors and Paul Thacker Construction. Mr. Westfall reported M & S General Contractors bid \$7,328.00 while Paul Thacker Construction submitted a bid in the amount of \$4,980.00. No bid was submitted from Commonwealth Builders. The bid required the project to be completed before the onset of Hillbilly Days. Commissioner Blackburn made the motion, seconded by Commissioner Davis to award the bid for the construction of the steps to the low bidder, Paul Thacker Construction in the amount of \$4,980.00. Upon call of the roll, the motion carried 5 - 0.

The Commission agreed to a request from Myra Chico Miller, member of the Park Revitalization Committee, to allow use of the used brick, located behind the Public Works Headquarters, for walkways in the City Park.

D. MOSSY BOTTOM SEWER PLANT: Mountain Water District Chairman, Leon Huffman, appeared before the Commission to again ask the City Commission to authorize the Mayor to execute a letter supporting Mountain Water District's effort to construct a sewage treatment facility on the Mossy Bottom site. By signing the letter, the City of Pikeville would be stating their intentions to not extend sewage service from the Coal Run area down to the Floyd County line. Commissioner Blankenship made the motion, seconded by Commissioner Davis to authorize the Mayor to execute said letter of support. Upon call of the roll, the motion carried unanimously.

Mr. Huffman advised the Commission that Mountain Water District is planning to extend water service to the Hurricane area. He told the Commission that Mountain Water District is currently negotiating with the Bowles Heirs for a parcel in Cedar Creek on which to locate a 100,000 gallon water storage tank and requested permission to construct said lines within the City Limits. Action with regard to this matter was delayed pending review of the plans by PSG Manager, Tom Bacon and City Engineer Sykes.

E. FOURTH OF JULY: Pikeville Jaycees President, Robin Lamb, asked the Commission to consider assisting the civic organization in the purchase of fireworks for the annual Fourth of July Celebration. City Finance Officer, Jan Hunt, advised the Commission that \$5,000.00 had been placed in the budget to be used toward the purchase of fireworks and confirmed that \$5,000.00 had been budgeted each year for the past three years. Ms. Lamb told the Commission that she had submitted a similar request to the Pike County Fiscal Court, however she has yet to receive a reply. She advised the Commission that no funds were received from the Fiscal Court for last year's fireworks demonstration. Commissioners Clark and Davis stressed the importance, to Ms. Lamb, of making a concentrated effort to solicit monies from the Fiscal Court due to the massive attendance by County residents at this annual event. Commissioner Clark made the motion, seconded by Commissioner Blankenship to authorize the purchase of fireworks for the Fourth of July Celebration in the amount of \$5,000.00. Upon call of the roll, the motion carried unanimously.

F. HILLBILLY DAYS CARNIVAL: Chamber of Commerce Executive Director, Gerry Altman, advised the Commission that the area designated behind the Post Office for the location of this year's Hillbilly Days Carnival, is too small, and due to safety precautions, can not be partially located on that lot with the remainder of the attractions being located on the river fill area behind the City Park. Mayor Combs made the motion, seconded by Commissioner Blankenship to authorize the City Manager to work with the Chamber of Commerce and carnival operators to determine a suitable location for the carnival. Upon call of the roll, the motion carried unanimously.

## AGENDA ITEM IV.

## PAYMENT OF BILLS

A. CITY BILLS/FINANCE REPORT: A list of City Bills totaling \$468,849.92 were presented to the Commission for approval of payment. Commissioner Blankenship made the motion to approve payment of the bills as requested. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried 5 - 0\* Mayor Combs abstained from voting on invoices submitted by Caudill Seed; Robertson's Wrecker; Roger's Petroleum; Riley & Scott; and Wallen & Cornett.

The Financial Statement for month ending was submitted. According to Finance Director, Jan Hunt, the City is not experiencing any monetary shortfall, due to the tax bills not being sent to property taxpayers.

B. PROJECT BILLS: Presented for approval was a bill in the amount of \$8,000.00 from Frank Nall for completion of 80 title searches in conjunction with the sewer extension project. Mayor Combs made the motion to authorize payment of the bill as requested. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried unanimously. According to City Manager Johnson, approximately 93% of the easements have been acquired. Mr. Johnson anticipates that condemnation suit will be necessary for about three or four of the required rights-of-way.

A bill from Patriot Construction Company was submitted to the Commission for approval of payment in the amount of \$7,920.00 for renovation work at the Perry Cline Emergency Shelter. The bill was recommended for approval by Summit Engineering. Project Coordinator Sue Smallwood advised the Commission that a 10% retainage is being withheld from the contract. Mayor Combs made the motion, seconded by Commissioner Blankenship to authorize payment as requested. Upon call of the roll, the motion carried 5 - 0.

In conjunction with the Emergency Shelter project, Ms. Smallwood requested authorization from the Commission to apply for grant funds to make roof repairs to the Perry Cline Building and to provide furnishings for the newly renovated sleeping quarters for an amount not to exceed \$75,000.00. Mayor Combs reported that he had spoken with Helping Hand Director, Ray Sword, who advised that his agency will be unable to continue to operate the facility without monetary assistance. Ms. Smallwood assured the Commission that she would be meeting with Mr. Sword to define other needs prior to submittal of the grant application. Mayor Combs made the motion, seconded by



Commissioner Blankenship to authorize Sue Smallwood to submit a grant application for an amount not to exceed \$75,000.00 for use at the Emergency Shelter. Upon call of the roll, the motion carried unanimously.

Ms. Smallwood advised the Commission that she had received the amendment to the UDAG agreement. The amendment provides for the funding of the YMCA and the Keyser Heights Phase II projects. Upon execution of the amended UDAG agreement, the City will be responsible for negotiating contracts with each of the entities for use of the UDAG funds. Authorization for the Mayor to execute the amended UDAG agreement was delayed pending review by the City Attorney. Ms. Smallwood advised that the City has sixty (60) days to return the UDAG agreement.

#### OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Mark Westfall on behalf of Summit Engineering, City Engineers, presented a verbal report of ongoing projects:

1. Sewer Extension Project: The plans and specifications for the sewer extension to serve Harolds Branch/Chloe Creek/Layne Hollow have been forwarded to Frankfort for review. Mr. Westfall estimated a 30 - 45 day review period. 93% of the easements have been acquired. Mr. Westfall told the Commission that 15 easements remain to be negotiated. The majority of the title search work has been accomplished.

2. Utility Relocation: Mr. Westfall advised the Commission of the upcoming project to replace the box culvert in the roadway adjacent to the Pikeville Elementary School on Chloe Creek. With this replacement project, it will be necessary to relocate certain utility lines. Received was a quote from M & S General Contractors in the amount of \$3,903.00 for the relocation of the utility lines. According to the City Manager, the State will reimburse up to \$4,400.00 for this project. Commissioner Blankenship made the motion, seconded by Commissioner Blackburn to award the project to M & S General Contractors in the amount of \$3,903.00. Upon call of the roll, the motion carried unanimously.

3. Keene Garage: The Commission heard a request from realtor, Bill Gibson, that sewage service be extended on old US 23 to serve the Keene Garage Building. Mr. Gibson explained that he had a potential buyer for this property, however the purchaser would like some assurance that sewage service would be available. According to Mr. Westfall and PSG's Paul Hall, there are two residences in addition to the garage building which are not connected to the public sewer system. Mr. Westfall estimated that the line could be extended for \$27,995, however, alerted the Commission to the fact that the lower floor of the garage is too low to be connected to the sewer system. Commissioner Blackburn voiced his dissatisfaction in not including this area in the Harolds Branch/Layne Hollow/Chloe Creek sewer extension project, as he thought with this project, sewage service would be provided to all properties within the City Limits. Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to authorize Summit Engineering to prepare the design and advertise for bids for the extension of the sewer line to serve the Keene Garage and two residences. It was further moved that the sewer extension be completed prior to the end of the 1995 year. Upon call of the roll, the motion carried 5 - 0.

Jeanette Anderson, along with several residents of the Third Street area, reminded the Commission of action taken in September to close Third Street to thru traffic. Ms. Anderson reported that, to date, no blockade or signage has been placed to alert motorists to this designation. It was agreed to block the street at the end of Third Street. City Manager Johnson assured the residents and the Commission that appropriate measures to block the street to thru traffic would be taken within two weeks.

Acting City Attorney, Billy Shelton, requested an executive session to discuss a pending legal matter concerning a claim by the Transportation Cabinet. Pursuant to KRS 61.810 (1) (c), Mayor Combs made the motion, at 7:20 p.m., to adjourn to executive session to discuss a pending legal matter. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

At 7:30 p.m., Mayor Combs made the motion, seconded by Commissioner Blankenship to reconvene to regular session. Upon call of the roll, the motion carried unanimously.

Mayor Combs made the motion to authorize the City Attorney to negotiate with the Transportation Cabinet concerning an alleged claim. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

C. CITY MANAGER'S REPORTS: City Manager, John Johnson, requested that the Commission schedule a work session to discuss the solid waste removal proposals. He reported that a questionnaire concerning solid waste removal had been sent to 198 residents for comment. He added that the results of the questionnaire would be discussed during the work session. The Commission asked that a work session be scheduled at a convenient time to allow PSG representatives who hold contract negotiating authority to be present at the meeting.

#### AGENDA ITEM VII.

#### NEW BUSINESS

1. 911: Mayor Combs asked when the 911 service would become available to City residents. City Manager Johnson reported that 911 should go on-line in May or June. Commissioners voiced their dissatisfaction in the amount of time taken to begin 911 operation. Commissioner Blackburn requested that representatives from South Central Bell and Big Sandy Area Development District be present at the next meeting to discuss the matter.

2. HOPE: Mayor Combs reported that he had spoken with Clinton Daniels concerning the acquisition of warehouse space to store items for the HOPE (Helping Our Poor Exist) Program. The old water plant, located on Julius Avenue, was discussed, however City Manager Johnson reported that this facility is currently being used to store



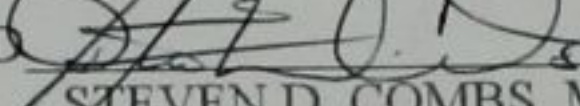
records and holiday decorations. The City Manager advised that he had invited Mr. Daniels to tour the building, however this meeting has yet to take place.

3. Driving Range: Mayor Combs told the Commission that he has had several requests that the City reopen the golf driving range. The Mayor reported that he had talked with YMCA representatives and they are receptive to operating the facility. Mayor Combs made the motion, seconded by Commissioner Blankenship to lease the equipment to the YMCA for \$1.00 per year for as long as they operate the golf driving range. Upon call of the roll, the motion carried unanimously.

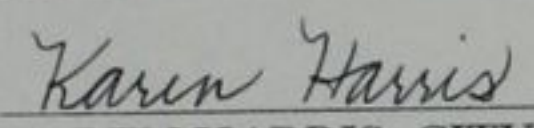
The annual cleanup campaign was discussed briefly.

There being no further business to come before the Commission, Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to adjourn the meeting. Upon call of the roll, the motion carried unanimously. (Adjournment Time: 7:40 p.m.)

The City Commission's next regular meeting is scheduled for April 24, 1995 at 6:00 p.m.

APPROVED   
STEVEN D. COMBS, MAYOR

ATTEST:

  
KAREN HARRIS, CITY CLERK

