

**CITY OF PIKEVILLE BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 22, 1995**

The Board of Commissioners of the City of Pikeville met in regular session on Monday, May 22, 1995. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard, Pikeville, Kentucky.

There being a quorum present, Mayor Steven D. Combs called the meeting to order at 6:08 p.m. Commission Members present at 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 held on April 24, 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 prepared. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

1. ABC ORDINANCE: Donnie M. May approached the Commission to ask that they consider adopting an amendment to the ABC Ordinance to prohibit the locating of alcoholic beverage package stores within 750 feet of each other. Mr. May told the Commission that he had reviewed the City of Louisville's ABC Ordinance which has a similar provision. Mr. May told the Commission that the lack of spacing requirements may cause the locating the package stores close together and some people may view the clustering together of several alcoholic beverage establishments as eyesores. The Commission authorized the City Attorney to review ABC Ordinances of other cities which are similar in size to Pikeville and report the findings to the them at the next meeting.

2. FOURTH OF JULY CELEBRATION: Pikeville College President, Bill Owens, advised the Commission that the Pikeville/Pike County Chamber of Commerce, Tourism and Main Street Programs are planning a Fourth of July Celebration during June 29 - July 4, 1995. With the City Park being the center of the celebration, Mr. Owens asked permission to locate a small carnival of approximately 10 rides on the river fill behind the City Park. Mayor Combs made the motion to allow the Tourism Commission to use the portion of the river fill between the City Park and the drainage ditch for a carnival in connection with the Fourth of July Celebration. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

3. **PROPERTY TAXES:** David Adams presented the Commission with property tax information regarding 31 lots owned by the Northmonte Corporation. Mr. Adams reported that he had retrieved the information through records maintained at the Pike County Courthouse. According to those records, Mr. Adams advised that 31 lots in the Northmonte Subdivision were given an assessed value of \$189,900.00 in 1988. It was reported that the owner of the property, Bob Billips, had distributed documents placing a value on the property of \$2,553,000.00. Mr. Adams estimated that Pikeville had lost tax values of \$2,300,000.00 per year for the last seven years. It was reported by Mr. Adams that the remaining lots in the Northmonte Subdivision had been reassessed in 1994 at a value of \$1,186,000.00. He advised that he had been told that Mr. Billips has appealed the assessment and relisted the value of the property at \$228,830.00. Since that time, Mr. Billips has sold lots in the Northmonte Subdivision in the amount of \$640,000.00. According to Mr. Adams, approximately 15 lots are remaining to be sold. Mr. Adams brought to the Commission's attention a Kentucky Statute which provides that if a person intentionally misstates the value of his property, he can be required to pay three times the value of the property to the taxing authority. Mr. Adams asked the Commission to appoint someone to investigate the matter to determine the validity of the figures and to make a determination if the matter needs to be pursued. City Attorney Davis disclosed that he represents the Northmonte Corporation. The City Attorney explained to the Commission that the City of Pikeville has delegated all assessment functions to the Pike County Property Value Administration office. He recommended the matter be referred to the PVA office. City Manager Johnson reminded the Commission that Stuart Adams had previously brought this matter to the attention of the Commission. He reported that he had delivered the information to the PVA office and had also written a letter to the County Attorney to make him aware of the matter. The Commission directed the City Manager to update his correspondence with the County Attorney and the PVA office and report on those efforts at the next City Commission meeting.

4. **RIVER FILL PARKING:** John Mauldin appeared before the Commission on behalf of the Shriners asking permission to use the City's property in the river fill adjacent to the Pikeville College fence for the parking of campers/recreational vehicles during the Fourth of July Celebration. Mr. Mauldin told the Commission that he plans to charge a \$10.00 per day fee for parking. All proceeds will benefit the Shriner's Hospital. Mayor Combs made the motion to allow the Shriners to use the defined area in the river fill during the Fourth of July Celebration under the representation that all proceeds will be remitted to the Shriners Hospital. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

Mr. Mauldin told the Commission that he is a resident of Island Creek and asked the possibility of the City providing fire protection services for that area. Mayor Combs reported that the City Commission had met with the Pike County Fiscal Court in November and had agreed to allow the use of the City's Fire Station on Island Creek, the use of some equipment, and to provide training for volunteer fire fighters contingent upon the residents forming a Volunteer Fire Department. Mayor Combs advised that the

Commission had been told that a sufficient number of the residents were not interested in serving as volunteer fire fighters. Mr. Mauldin reported that he had spoken with a number of residents who were interested in forming a Volunteer Fire Department. The Commission referred Mr. Mauldin to Fire Chief Hall to work out the details.

5. DARK HOLLOW SEWER: During the January 23, 1995 regular City Commission Meeting, an agreement had been approved to allow Stuart Adams to extend water and sewage service to Dark Hollow. To connect the sewage line would require a bore under U.S. 23. According to City Engineer Sykes, the bore contractor hired by Mr. Adams has recommended to not drill beneath the retaining wall that supports U.S. 23. At Mr. Adams' request, Mr. Sykes prepared an alternate plan to tie into the line which will be constructed to serve the Keene Garage (approved March 27, 1995). Mr. Sykes recommended acceptance of the alternate proposal and explained that the alternate plan would be a better solution for both the City and Mr. Adams. The City Engineer reported that Mr. Adams will save about \$4,000.00 with this alternate plan. Mr. Adams has agreed to the same reimbursement terms as provided in the January 23, 1995 agreement (\$50,000.00). The agreement had provided that Mr. Adams would perform the necessary earth work to open up the ditch line from Keyser Hollow to Dark Hollow that would be sufficient to allow the City to install a sewer line from Keyser Hollow down to the new tie in point at Dark Hollow. With the proposed alternate, no earth work is necessary, therefore, the City will save about \$15,000.00 in material and labor costs. According to City Engineer Sykes, his staff has renegotiated the easement agreement with B & B Customs. The City Engineer told the Commission that the Keyser Heights sewer problems will be resolved as the siphon pump will be eliminated. Commissioner Davis made the motion, seconded by Commissioner Blackburn to accept the City Engineer's recommendation and to authorize the City Attorney to amend the contractual agreement to reflect the change in the concept. Upon call of the roll, the motion carried 5 - 0.

6. HOUSING AUTHORITY: A resident from Myers Tower presented her concerns to the Commission for the Housing Authority Board's lack of meetings. She reported that the Board had conducted only one regular meeting since the beginning of 1995. The City Attorney advised that he did not think the City had any control over the frequency of the Housing Authority Board's meetings. The Mayor asked the City Attorney to contact HUD officials to determine the requirements.

AGENDA ITEM IV.

PAYMENT OF BILLS

A. CITY BILLS/FINANCE REPORT: Presented to the Commission for approval of payment was a list of bills totaling \$361,968.82. Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to approve payment of the bills as requested. Upon call of the roll, the motion carried 5 - 0* Mayor Combs abstained from the vote with regard to invoices from Velocity Market, Elkhorn Stone, Robertson Wrecker, and Riley & Scott.

The Financial Report for month ending April 30, 1995 was given to each Commission Member. No action was taken.

B. SEWER EXTENSION PROJECT: The Commission reviewed a request for payment in the amount of \$100.00 from Frank Nall for title search work in conjunction with the Harolds Branch/Chloe Creek Sewer Extension Project. Mayor Combs made the motion, seconded by Commissioner Blankenship to authorize payment of the bill in the amount of \$100.00 to Frank Nall. Upon call of the roll, the motion carried unanimously.

C. PERRY CLINE EMERGENCY SHELTER: A final payment request in the amount of \$15,456.00 was presented to the Commission from Patriot Construction Company for the renovations at the Perry Cline Emergency Shelter. Commissioner Blackburn questioned if the repairs had been made to the ceiling tiles and where a hole had been knocked in the wall to repair the plumbing. Project Coordinator, Sue Smallwood, assured the Commission that all necessary repairs will be made to the building prior to final payment being released to the contractor. Commissioner Blackburn made the motion to approve final payment of the bill pending approval from the Fire Inspector. Mayor Combs seconded the motion. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM V.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes representing Summit Engineering, City Engineer's presented a verbal progress report with regard to the following projects:

1. Chloe Creek/Harolds Branch Sewer Extension: City Engineer Sykes reported that he had been given authorization by the Division of Water to advertise for bids for the Chloe Creek/Harolds Branch Sewer Extension project. The bid advertisement will appear in the May 26, 1995 edition of the News-Express. Bids will be opened on June 14, 1995. The bid results will be presented to the Commission at their June 26, 1995 regular meeting. The Lake Clean-up project, a City funded project, will also be advertised for bids at this time. Mr. Sykes reported that one easement has yet to be obtained for the sewer extension. Several easements have yet to be obtained for the Lake Clean-up project.

2. Fire Training Center: Presented to the Commission were three bids for the HVAC system for the new classroom facility at the Fire Training Center. The bids were as follows:

Delta Supply.....	\$14,200.00 (Trane)
B & B Heating & Cooling.....	\$14,900.00 (Heil)
Elliott Contracting.....	\$16,300.00 (Carrier)

City Manager Johnson reported that \$20,000.00 had been allotted for the heating/cooling system. It was recommended that the bid be awarded to the low bidder, Delta Supply. Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to

award the bid for the HVAC system to Delta Supply in the amount of \$14,200.00. Upon call of the roll, the motion carried unanimously.

3. Bob Amos Park Track: Presented to the Commission were the bid results for the resurfacing of the walking track at Bob Amos Park. The bids were as follows:

Mountain Enterprises: \$70,119.00 (black surface)
 \$93,100.00 (red surface)

R & L Paving & Sealing: \$79,772.00 (black surface)
 \$94,717.00 (red surface)

City Manager Johnson reported that \$20,000.00 has been allotted in the current budget for this project.

The low bidder, Mountain Enterprises, has extended a 5 year guarantee for the project.

Commissioner Blankenship made the motion to award the bid for the red surface to the low bidder, Mountain Enterprises in the amount of \$93,100.00. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried unanimously.

4. Cedar Creek Utilities: City Engineer Sykes advised that the Bowles Heirs had previously submitted plans for the utility easements and plans for construction of the water and sewage lines as well as a street plan for the Cedar Creek project. The utilities were constructed in 1994 and were certified as being constructed as per the approved plan with the exception of Block 1E, which has not yet been constructed. It was requested that the City Commission accept the utilities for Blocks 1A, 1B, 1C, and 1D into the City's maintenance system. It was explained the action is necessary due to the current subdivision regulations not being in place at the time of construction. Commissioner Blankenship made the motion, seconded by Commissioner Clark to accept the utilities for the Bowles Heirs Project in Cedar Creek as constructed. Upon call of the roll, the motion carried 5 - 0.

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

1. Dumpster Rates: Second reading was given to an Ordinance entitled:

**ORDINANCE AMENDING CHARGES FOR SERVICES FOR COMMERCIAL
GARBAGE COLLECTION (O-95-002)**

Commissioner Blankenship made the motion to adopt the Ordinance. Commissioner Clark seconded the motion. During discussion, Commissioner Blackburn pointed out that rates were being increased by 50% on 200+ dumpster customers. Commissioner Clark

commented that the City's current dumpster rate is well under the average charged by various cities in the state. Upon call of the roll, the motion carried by the following votes:

MAYOR:	STEVEN D. COMBS	YES
COMMISSIONER:	KENNY BLACKBURN	NO
	WALTER BLANKENSHIP	YES
	SHARON CLARK	YES
	EUGENE DAVIS	YES

2. Adams, Adams, & Adams Limited Partnership: The agenda description of this matter read "Consider action to rescind Adams, Adams, & Adams Limited Partnership (the "Partnership") UDAG Agreement. City Attorney Davis explained that the description is not accurate in that the City has not actually entered into an agreement with the Partnership for the use of the UDAG funds. He reported that he had been preparing an agreement for the Partnership to sign which establishes the parameters of how they will receive funds from the UDAG. Over the long process of the agreement's preparation, the City Attorney advised that he has continued to have problems with Adams Construction with regard to their development. A copy of the subdivision plat which was approved for Dark Hollow was presented to the Commission for inspection. The roadway circles around to both the Northmonte Subdivision and the Keyser Heights Subdivision. Only a portion of the roadway for the Dark Hollow Subdivision has been approved on the subdivision plat. In the last three or four weeks, the Partnership began work on the roadway above the approved plat. He advised that he had spoken with Mr. Adams concerning that matter. Mr. Adams contended that, according to the Subdivision Regulations, it was not required that he have an approved subdivision plat for timbering activities on his property. Since that time, the Partnership continued with the roadway activities toward Keyser Heights.

About a week before the rain storm of May 13, 1995, the Partnership began construction activities in which the soil was disturbed. Building Inspector Honaker went to the site and was told by Mr. Adams that he was clearing a roadway to allow the transport of a piece of equipment. City Attorney Davis gave his opinion that the roadway was more elaborate than what was necessary to transport equipment across.

During the rain storm of May 13, 1995, mud and debris washed down the gully, stopped up the manhole, backed up water in the street and on the properties. According to Mr. Davis, he could ascertain that the 36" drain was stopped up because the flow was only a fourth of the capacity of the drain. The City Attorney reported that the drain had stopped up a couple of months ago with the same type of material where the Partnership had been working in the project area.

According to City Attorney Davis, the Subdivision Regulations require an approved Erosion Control Plan before earth moving activities are begun. The Erosion Control Plan would require the installation of appurtenances to keep the mud and debris out the drains. He advised the Commission that he had reviewed the subdivision plats for Keyser Heights

and Dark Hollow. Conditions cited for Dark Hollow require the marking of boundary corners. He reported that he could not see where the boundary corners had been marked, however, pointed out that he may not have seen the markings because of all the mud. In addition, seeding should have been completed by Spring, 1995. There is no vegetation in the areas except for where the two houses are located. The Erosion Plan provides for the placement of straw bales in the drainage ditches. This provision has not been complied with. As evidence of that fact, Mr. Davis reported that the mud washed out of Dark Hollow into the drain along U.S. 23, stopped it up, and caused water to pool on the highway during the May 13, 1995 rain storm.

City Attorney Davis further stated that he had talked to Mr. Adams on a number of occasions concerning the necessity of following the guidelines. He told the Commission that he did not see any reason to extend grant funds to the Partnership when they weren't willing to comply with the regulations.

A video tape of the Keyser Heights area taken on the day of the rain storm was shown to the Commission and other interested parties. The City Attorney reported that he had filed a motion for injunctive relief. The case is scheduled to be heard on June 19th. Attorney Davis asked the Commission to consider obtaining the services of an engineer to evaluate what work has been done, to determine if there is a continuing safety concern, and to recommend remedial work. The services of an independent engineer was requested due to Mr. Adams being a client of Mr. Sykes. He told the Commission it was his opinion that all work outside the approved subdivision area should be reclaimed and reseeded immediately.

Additionally, the Building Inspector had pointed out to the City Attorney the fact that Mr. Adams has placed a trailer adjacent to the Ward home next to the Bowles Addition. The placement of the trailer in a R-1 area is a zoning violation. The City Attorney reported that Mr. Adams has refused to remove the trailer.

Attorney Marrs Allen May told the Commission that he represents 60+ property owners whose property is being destroyed by the acts of one man in complete disregard of the subdivision regulations which provide there can be no disturbance of the earth until a subdivision plat sketch is submitted and a preliminary plat is approved. According to Mr. May, KRS provides a method of relief through an injunction, which can not only be the prevention of any further acts, but can be a mandatory injunction to force Mr. Adams to restore the property to the condition prior to construction activities. Mr. May asked the Commission to not only pursue the injunction to prevent Mr. Adams from violating the subdivision regulations in the future, but that he be compelled to restore the property to the condition it was before he began construction activities. He further stated that the subdivision regulations allow for fines and penalties for violations and suggested that the Commission proceed to assess those fines.

Stuart Adams told the Commission that he has nothing to do with the trailer located in the Bowles Addition. He advised the trailer belongs to his daughter.

Pursuant to the drainage matter, Mr. Adams advised the Commission that he has a permit from the State for erosion control for both Dark Hollow and Keyser Heights. The permit was issued in June, 1994. He contended that the City is responsible for the drainage problems because a grate was placed over the drain tile. Mr. Adams told the Commission that the Building Inspector and Mark Westfall of Summit Engineering had visited his project. He told the Commission that he has agreed to take any remedial action deemed necessary by the Building Inspector and Engineer. Mr. Adams also requested that the Commission appoint an independent attorney to serve as counsel to the Commission since the City Attorney represents Bob Billips.

Residents from Keyser Heights disagreed with Mr. Adams' statement that the drain stopped up because of the grating over the drain tile. They reported that the grating is over the top of the drain to keep children from falling into the tile. Several individuals made pleas to the Commission to not reward Mr. Adams' violations with the gift of U.D.A.G. funds.

Commissioner Blankenship reported that he had visited the Keyser Heights Subdivision on the day the rain storm occurred. He made the motion to rescind the U.D.A.G. for Adams, Adams, & Adams Limited Partnership's project. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

3. Occupational License Fees: After reviewing Ordinances from other cities, City Attorney Davis reported that he had no changes to recommend to the Commission with regard to a request from employees of MSHA to establish an appeals procedure.

4. City Attorney Davis requested an Executive Session for the purpose of discussing a personnel matter.

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

1. Fire Truck Financing: City Manager, John Johnson, advised the Commission that he had solicited quotes from various lending institutions in an effort to secure financing for the new fire truck. According to City Manager Johnson, the new fire truck will be ready for delivery by mid June. \$50,000.00 has been set aside in the current budget. Mr. Johnson proposed to finance the remaining \$200,000.00 cost of the fire truck for a three year period. The City Manager advised that five bids had been submitted for consideration. The bids for fixed-rate financing were as follows:

Family Bank	5.50%
Pikeville National Bank	5.75%
GEM Capital Corporation	5.82%
Bank One	6.25%
Trans Financial Bank	6.75%

City Manager Johnson recommended award to the low bidder, Family Bank. Mayor Combs made the motion to accept the City Manager's recommendation to award the financing for the fire truck to Family Bank and to authorize the Mayor to execute the necessary loan agreements. Commissioner Blackburn 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	NOT PRESENT

2. Methodist Hospital Paving: The Commission reviewed a letter from the Methodist Hospital Administrator, Martha Chill. She gave notice to the Commission that the hospital is preparing to pave their parking lot in the river fill. The plans are to pave on both sides of the ramp into the parking area all the way to the Health Department. The project is scheduled for mid June. It was requested that the City pave the street between the parking lot and Baird Avenue at an estimated cost of \$7,665.90. The estimate provides for the paving of a section of roadway 550 feet long, 20 feet wide, and 3 inches thick. The Commission was advised that the roadway would withstand only light traffic and be temporary in nature since no base is proposed. The City Manager reported that he had received several complaints, about dust, from persons residing in the Goff Apartments. Commissioner Blankenship suggested the street be constructed as a permanent fixture. Mayor Combs suggested this item be considered in the new budget. The City Engineer was directed to prepare a cost estimate to construct the street to standard specifications.

3. Audit Proposal: Presented to the Commission for consideration was a proposal from the CPA firm of Wallen & Cornett to audit the 1994-95 City of Pikeville financial records. Cost for the audit is \$14,600.00. City Manager Johnson advised the cost is about \$500.00 higher than the previous year's fee. Upon the City Manager's recommendation that the proposal be accepted, Commissioner Blankenship made the motion, seconded by Commissioner Clark to award the 1994-95 audit to Wallen & Cornett, CPAs. Upon call of the roll, the motion carried 4 - 0 - 1 with Mayor Combs abstaining from the vote.

4. 911 Update: City Manager Johnson announced that the Pike County Fiscal Court had remitted \$76,172.21 to the City for its share of the 911 fees collected by the County.

Mr. Johnson advised the Commission of the need to purchase a double console for the Police Dispatch in order to interface the radios and 911 equipment. State price contract amount from Motorola is \$42,990.00. He proposed that the console be funded with the reimbursement from the Pike County Fiscal Court. The console can be installed within

five weeks. Commissioner Blackburn made the motion to purchase a double console from Motorola in the amount of \$42,990.00. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

5. Executive Session: The City Manager requested an executive session to discuss two pending legal matters.

AGENDA ITEM VI.

NEW BUSINESS

A. HEARING OFFICER/ABC ADMINISTRATOR: At the previous regular meeting, the Commission reviewed a letter from Richard Elswick resigning his office of Administrative Hearing Officer and the office of ABC Administrator. City Attorney Davis agreed to assume the duties of ABC Administrator. Mayor Combs made the motion to appoint Darrell Sammons to serve as Administrative Hearing Officer. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

B. CIVIC CENTER PROJECT: The Commission reviewed a letter from Pike County Judge Executive, Donna Damron, requesting that the City Commission allocate \$20,000.00 toward a feasibility study for the proposed civic center project. Mayor Combs announced that funding had been applied for through the Appalachian Regional Commission. Notification has been received that the joint city/county application had been denied. Judge Damron plans to ask the Pike County Fiscal Court to allocate \$20,000.00 in their next fiscal year budget to be used toward the civic center feasibility study. Mayor Combs suggested further discussion of the matter during the budget hearings.

C. PIKEVILLE COLLEGE RIVERFILL EASEMENT: Leslie Combs advised the Commission of Pikeville College's plans to construct a baseball field beside their softball field on their property in the river fill. It was requested that the designated roadway easement be removed from that property to ensure that a street will not be constructed through the ball fields. It was reported that removal of the roadway easement will not affect the utility easements. According to Ms. Combs, the original quitclaim deed provided that a 30 ft. easement centering along the existing sewer line was excluded from the property description. The Urban Renewal plat depicted a street from Huffman Avenue extending to Baird Avenue. Commissioner Blankenship made the motion to change the wording from roadway easement to utility easement. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried unanimously.

D. TELE-MEDIA/WEATHER CHANNEL: Mayor Combs reported that he had asked this item be placed on the agenda. He asked the Commission to consider asking that the local t.v. cable supplier, Tele-Media Company, to provide the weather channel in the basic service tier. City Manager Johnson reported that he had talked with the acting manager of the local Tele-Media office who had advised that Tele-Media does not have the capability at this time to provide the service. They plan to upgrade their fiber optic system later in the year and will entertain the request at that time. Mayor Combs made the motion that the Commission authorize him to write a formal request to Tele-Media to request that

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they not only upgrade their basis service to include the weather channel, but also that they attempt to provide the local access channel and the history channel. Commissioner Davis seconded the motion. Upon call of the roll, the motion carried unanimously.

E. PSG: Mayor Combs advised that he had talked with PSG Manager Tom Bacon with regard to cleaning out storm drains, specifically Garred Street and Kentucky Avenue. Mr. Bacon reported that efforts are underway at this time to clean out the storm drains. He anticipates that it will take about three weeks to clean the Kentucky Avenue drains. Mayor Combs requested that PSG submit monthly reports to the Commission detailing roadway improvements.

F. SWIM TEAM BOARD: Leslie Combs appeared before the Commission to request three appointments to the Swim Team Board. The records reflect that one appointment (Leslie Combs) expired on 6-28-94 and the other two appointments (Shanna Elliott and Carol McGhee) expire on 6-28-95. Ms. Combs asked the Commission to appoint Pam Sowards to replace Leslie Combs and Debbie Colvin to replace Shanna Elliott. She requested that Carol McGhee be reappointed to the Board. Mayor Combs made the motion to accept the appointments as requested. Commissioner Blackburn seconded the motion. Upon call of the roll, the motion carried unanimously.

At 8:31 p.m., Mayor Combs made the motion to adjourn to executive session for the purpose of discussing two personnel matters and two pending legal matters pursuant to KRS 61.810 (c) and (f). Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

At 9:02 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.

With regard to the discussion had on the Adams, Adams, & Adams Limited Partnership injunction case scheduled for June 19, 1995, Commissioner Blankenship made the motion to hire Rick Keene as an independent engineer to review the construction activities. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried 4 - 0 - 1 with Mayor Combs abstaining from the vote.

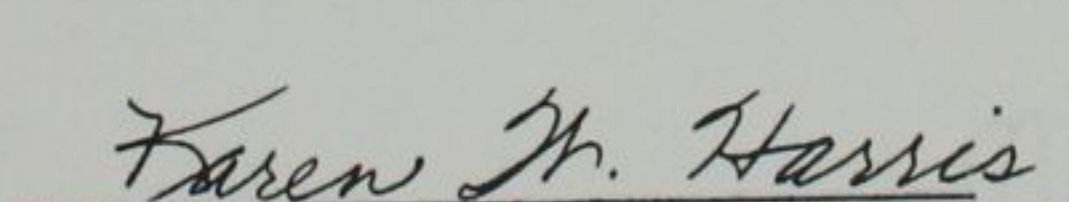
There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Clark to adjourn the meeting. Upon call of the roll, the motion carried 5 - 0. (Adjournment Time: 9:05 p.m.)

The City Commission's next regular meeting is scheduled for June 26, 1995 and will be held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

APPROVED


STEVEN D. COMBS, MAYOR

ATTEST:


KAREN W. HARRIS, CITY CLERK