

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES JULY 22, 1996

The Board of Commissioners of the City of Pikeville met in regular meeting on Monday, July 22, 1996. The meeting was held in the City Hall Public Meeting Room at 260 Hambley Boulevard.

There being a quorum present, Mayor Pro Tem, Eugene Davis, called the meeting to order at 6:07 p.m. Upon roll call, the following Commission Members were present:

COMMISSIONER: KENNY BLACKBURN
WALTER BLANKENSHIP
SHARON CLARK
EUGENE DAVIS

Mayor Steven D. Combs arrived at the meeting at 6:10 p.m.

AGENDA ITEM II. MINUTES

The minutes for the Special Meetings held on May 30, June 4, June 19, 1996 and for the June 24, 1996 Regular Meeting were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Blankenship made the motion, seconded by Commissioner Clark to approve the minutes as presented. Upon call of the roll, the motion carried 4 - 0 (Mayor Combs not present at the time of the vote).

AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. DOWNTOWN PARK REVITALIZATION: Downtown Park Revitalization Chair person, Kitty Pauley, reported that the Downtown Park Revitalization Committee had advertised for bids for the acquisition and placement of playground equipment. Ms. Pauley advised that the committee received two bids and have recommended the award of the bid to Play Mart, Inc., of Somerset. A picture of the playground equipment was displayed. Ms. Pauley explained that the committee liked the overall design of the equipment and reported that the structure is actually less expensive than the other bid received. Bluegrass Recreational Products design was to be completed in two phases with a combined cost of between \$38,000 - \$40,000. The Play Mart bid total was \$20,000. Representatives from Play Mart, Inc. were present and advised the Commission that the equipment meets all ADA requirements. They expect to have the equipment installed, which includes site preparation and placement of a wood chip ground surface, by the third or fourth week of August. Commissioner Davis made the motion, seconded by Commissioner Blackburn to authorize the purchase of the equipment and further authorized the City Manager to sign the contract, subject to the review of the City Attorney. Upon call of the roll, the motion carried unanimously.

Ms. Pauley advised the Commission that a committee known as the Boulevard Beautification Board is no longer active. She requested that the Parks Revitalization Committee and that Board be merged to allow for the distribution of money in the Boulevard Beautification fund, which is expressly dedicated for the purchase of trees and flowers. Commissioner Blankenship made the motion, seconded by Commissioner Blackburn to merge the Park Revitalization and Boulevard Beautification Committees. Upon call of the roll, the motion carried unanimously.

B. PIKEVILLE PUBLIC LIBRARY: Mayor Combs explained there is litigation involving the Pikeville Public Library, and due to the City Attorney not being present, the matter was not discussed.

C. PIKEVILLE Y.M.C.A.: Appearing before the Commission was local youth, Jonathan Rader, to thank the Commission for allowing the roller blading exhibition on the City's river fill basketball court during Summer Fest. A number of newspaper articles and photographs about the roller blading sport was displayed before the Commission. YMCA Dennis Rohrer explained that a year-to-year lease had been granted to the Pikeville YMCA for the tract of property formerly used for batting cages. Mr. Rohrer asked the Commission to consider granting permission to the YMCA to build a permanent skate park structure and to amend the lease to provide for a long-term lease. Commissioner Davis stated that he would like additional time to consider the request and to have time for the public to respond to the YMCA proposal. Katie Deskins was present and spoke to the economic advantages for an area to have a skate park. Mayor Combs asked Mr. Rohrer to supply the Commission with an artist's rendering of the proposed structure and then see City Engineer Sykes to determine its placement on the tract. Mr. Rohrer told the Commission that YMCA is in the process of raising money for the construction of the facility and do not want to proceed unless a location has been designated. Mayor Combs, Commissioners Blankenship and Clark said they had no objection to the proposed use, however the Mayor asked Mr. Rohrer to attend the next meeting when the City's Attorney could present an amendment to the lease for consideration. The Mayor assured Mr. Rohrer that should the former batting cage property be determined not feasible, that another location in Bob Amos Park would be provided.

D. PIKEVILLE POND COMMITTEE: Beverly Williams, on behalf of the Pikeville Pond Committee, asked the status of re-acquiring the easement, adjacent to the Pikeville Pond, from Judy Walters. Mayor Combs advised that the matter will be discussed in closed session at the end of the meeting. Ms. Williams asked that plat maps be made available to the committee, in the event that the property is regained. Mayor Combs advised Ms. Williams that plats may be obtained from Summit Engineering. Ms. Williams told the Commission that a group of Boy Scouts are interested in working in conjunction with the Pikeville Pond Committee and they are proposing the

construction of steps on the Bypass side of the pond in the area closest to the swinging bridge. She added that funding will be needed for the lumber and other supplies, as well as a plan design. Mayor Combs made the motion to authorize Jack Sykes to assist in the design of any projects along the pond and to approve those plans. Commissioner Blankenship seconded the motion. During discussion, the Mayor asked Mr. Sykes to keep the Commission apprised of proposed projects. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM IV.

PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$417,342.12 was presented to the Commission for approval of payment. Commissioner Clark questioned the repairs to the Day Care Center Building. City Manager Johnson reported roof repairs were necessary and explained that while the lease with the Day Care provides that the Day Care pay for maintenance, he has been advised that they do not have the funds to pay for the repairs. Mr. Johnson told the Commission that he felt since the City owns the building, it was necessary to protect the asset. A brief discussion of the financial health of the Day Care Center was had. The Mayor explained that action to increase rates is unpopular with the Day Care Center Board. He added that he has made rate comparisons between other day care agencies and found that Pikeville's rates are far below the state average. The Mayor agreed to send the Day Care Center a letter recommending an annual 5% increase in rates. Upon the City Manager's verification that sufficient funds are on hand to pay the bills, Commissioner Blankenship made the motion, seconded by Commissioner Clark to approve payment as submitted. Upon call of the roll, the motion carried unanimously.

B. SEWER EXTENSION PROJECT: Presented on behalf of M & D General Contracting for approval of payment were invoices for the Harolds Branch/Chloe Creek Sewer Extension Project as follows:

Chloe Creek	\$ 45,254.16
Harolds Branch	\$ 16,506.00
North Interceptor	\$115,549.20
Retainage to escrow	\$ 19,701.04
Linder & Associates	\$ 8,000.00 (Technical Assistance)

City Engineer Sykes recommended payment of the bills as presented. Commissioner Blankenship made the motion, seconded by Commissioner Davis to approve payment of the invoices as submitted. Upon call of the roll, the motion carried unanimously.

C. ACADEMY BUILDING STABILIZATION BIDS: Presented for approval of payment was an invoice from Richardson Associates, Architects, in the amount of \$1,627.50. Jack Sykes, in his capacity as chairman of the Historic Preservation Board, reported that bids were received for a general contractor and for asbestos abatement. Mr. Sykes reported that one of the board members had questioned the validity of the special called meeting which approved soliciting bids for the project. Mr. Sykes stated that the City Attorney recommended having another Historic Preservation Board Meeting to ratify the actions of the meeting in question. Mr. Sykes told the Commission that the bids would be presented for action at their next meeting. Mr. Sykes recommended approval of the bill in the amount of \$1,627.50 from Richardson Associates, Architects. Commissioner Blankenship made the motion, seconded by Commissioner Clark to approve payment of the bill from Richardson Associates, Architects in the amount of \$1,627.50 as recommended by Mr. Sykes. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM IV.

OLD BUSINESS

A. CITY ENGINEER'S REPORTS:

1. Sewer Extension Project: Mr. Sykes reported that all of the line on all of the projects, as on the original plan, is in the ground. There are a few low income taps yet to be completed. Paving will begin on Harolds Branch on the 24th, then the paving contractor will proceed with Walters Road. Mr. Sykes assured the Commission that no retainage funds are being released at this time. Reclamation work on Walters Road and Harolds Branch is basically complete. Clean up is still in progress on Fife Fork and on Main Chloe. Mr. Sykes reported that he placed an ad in last week's paper notifying the public that the project has reached substantial completion and advised that if any problems were had with regard to reclamation, to contact Summit Engineering. Information concerning the procedure for tapping onto the sewer line was also included in the advertisement.

2. Raw Water Intake: Mr. Sykes reported that he has met with Will Linder, grants person, Marilyn Eaton of Kentucky Infrastructure Authority, and with PSG representatives concerning the raw water intake upgrade which includes the installation of a filter gallery and telemetry devices. It was the recommendation of those involved that the project be delayed until Spring, 1997, and recommended the purchase of an auxiliary pump to be used as an emergency backup. It is estimated the pump will cost about \$32,000.00. As explained in the previous City Commission Meeting, the auxiliary pump will be necessary when the raw water intake repairs begin. Mr. Sykes advised that by delaying the project, Mr. Linder will have opportunity to arrange a better financing package. There is a possibility that ARC grant funds ranging from \$250,000 to \$400,000 can be obtained. This is an excellent chance that loan proceeds can be obtained from the newly created Water Revolving Fund at an interest rate of 1 1/2%, however funds will not be available until early in 1997. It was recommended that an emergency be declared to allow the purchase of the pump. Said emergency being stated that low water periods are expected in the fall. The Commission heard a report from PSG Manager, Greg May, that advised of potential low water problems if the area experiences a heavy leaf fall. Commissioner Blackburn made the motion, seconded by Commissioner Blankenship, to declare an emergency and authorize the City Manager to purchase auxiliary pumps. Upon call of the roll, the motion carried unanimously.

MINUTES } CITY OF PIKEVILLE

3. Thompson Road Fire Station: This project is approximately 40% complete.

4. Shopping Center Developer: Mr. Sykes requested an executive session to discuss a developer's request concerning a contractual matter relative to the shopping center project (Thompson Road).

B. CITY ATTORNEY'S REPORTS: City Attorney, Russell H. Davis, Jr., was not present, however, the following items were presented for the Commission's consideration:

1. Towing Service Bids: City Manager Johnson presented two bids received for a towing service. The bids were as follows:

	VILLAGE WRECKER	ROBERTSON'S WRECKER
Towing Charge	\$25.00	\$40.00
Rate per hour in addition to unit rate per tow requiring more than 1 hr.	\$25.00	\$20.00
Large wrecker per hr. charge	\$75.00	\$80.00
Storage charge after first 24 hrs. per day	\$ 5.00	\$10.00

Mayor Combs delayed action until the next meeting.

2. Emergency Shelter Grant: Project Coordinator, Sue Smallwood, reported that the City received a \$40,000.00 grant for the emergency shelter. Commissioner Blankenship made the motion to accept the grant. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

At 6:55 p.m., Commissioner Davis made the motion to adjourn to an executive session to discuss a contract negotiation as requested by the City Engineer, and a property acquisition matter as requested by the City Manager. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried 5 - 0.

At 8:22 p.m., Commissioner Blackburn made the motion, seconded by Commissioner Clark to reconvene to regular session. Upon call of the roll, the motion carried 4 - 0 (Commissioner Blankenship not present at the time of the vote).

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

1. Curfew Ordinance: City Manager Johnson reported that the City has been experiencing a great deal of vandalism. Additionally, the Police Department has reported an increase in the problem of juvenile crime. A copy of a curfew ordinance adopted by Paris, Kentucky, and recommended by the Kentucky League of Cities has been reviewed. The ordinance was modeled after the Dallas, Texas ordinance whose constitutionality has been upheld in the Federal Court. Mr. Johnson requested that the City Attorney be authorized to prepare a curfew ordinance for the City of Pikeville to be modeled after the Paris, Kentucky ordinance. Commissioner Blackburn made the motion to authorize the City Attorney to prepare a curfew ordinance. Commissioner Clark seconded the motion. Upon call of the roll, the motion carried unanimously.

2. Police Officer: The Police Chief has recommended the employment of Keith D. Justice through the COPS grant program. Mr. Johnson advised that Mr. Justice has successfully completed the basic training classes at Richmond Police Academy. Commissioner Blackburn made the motion, seconded by Commissioner Blankenship to hire Keith D. Justice as a police officer. Upon call of the roll, the motion carried unanimously.

During Executive Session, discussion was had with regard to the property negotiations with Judy Walters for the river fill property. Ms. Walters has offered to sell the property to the City for the amount the City originally sold the property, \$127,000.00, and the cost of two building permits, \$1,108. Commissioner Blackburn made the motion, seconded by Commissioner Clark, to authorize the Mayor to execute the deed of conveyance. Upon call of the roll, the motion carried unanimously.

Use Agreement: Pikeville National Bank has requested the execution of a Use Agreement for the Hambley Athletic Complex on August 24th for the Pike County Bowl. Pikeville National Bank will reimburse the City an amount of \$350.00 for electricity usage. In addition, the Bank will provide liability insurance, clean up and security. Commissioner Blackburn made the motion, seconded by Commissioner Clark to approve the execution the Use Agreement with Pikeville National Bank. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM VI.

NEW BUSINESS

A. BOARD APPOINTMENTS: The Commission was advised of the resignation of Walter P. Walters, Jr., from the Board of Zoning Adjustments. Mayor Combs nominated Jack O. Burchett to complete the term. Commissioner Blankenship seconded the motion. Upon call of the roll, the motion carried unanimously.

AGENDA ITEM VII.

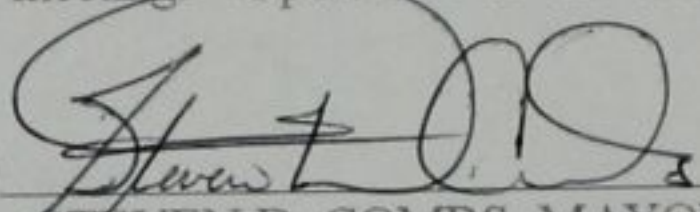
CONSENT ITEMS

A. PSG MONTHLY ACTIVITIES REPORT: PSG Manager Greg May told the Commission that his crews have been performing reclamation work on the roadways in the sewer project areas which included some drain work. He advised the Commission of a donation of a drain pipe costing about \$1,500.00 from Branham and Baker. Mayor Combs made the motion, seconded by Commissioner Blackburn that he be authorized to send a letter of appreciation to Branham and Baker. Upon call of the roll, the motion carried 5 - 0.

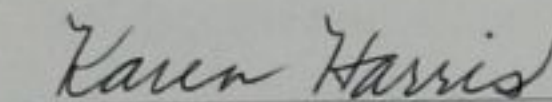
Vocational School: Mayor Combs reported, that while in executive session, the Commission discussed the potential to offer public property located in the river fill behind the City Park to the Cabinet for Economic Development as a site candidate for a Vocational Technical School. Mayor Combs made the motion that he be authorized, with assistance from Jack Sykes, to offer the site as a candidate for a potential site for the school. Commissioner Blankenship seconded the motion. City Engineer Sykes advised of a potential conflict as the FEMA maps have the area designated as a floodway. A protest has been filed with the Corp of Engineers requesting a map revision. Upon call of the roll, the motion carried unanimously.

There being no further business to come before the Commission, Commissioner Blackburn made the motion, seconded by Commissioner Clark to adjourn the meeting. Upon call of the roll, the motion carried 5 - 0. (Adjournment Time: 8:33 p.m.)

APPROVED


STEVEN D. COMBS, MAYOR

ATTEST:


KAREN HARRIS, CITY CLERK

