

MINUTES } CITY OF PIKEVILLE

PIKEVILLE CITY COMMISSION REGULAR MEETING MINUTES SEPTEMBER 25, 2000

The Board of Commissioners of the City of Pikeville met in regular session on Monday, September 25, 2000. The meeting was held in the usual and customary meeting place at City Hall in the second floor public meeting room, 118 College Street.

There being a quorum present, Mayor Frank M. Morris called the meeting to order at 1:06 p.m. Commission Members present at roll call were as follows:

MAYOR:	FRANK M. MORRIS
COMMISSIONER:	BILL R. BLACKBURN
	EUGENE W. DAVIS

Commissioner Sharon C. Clark arrived at 1:13 p.m. Commissioner Wanda V. Wilson was absent.

AGENDA ITEM II. MINUTES

The minutes for the previous regular meeting of August 28, 2000 and special meeting of August 23, 2000, were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Blackburn made the motion, seconded by Commissioner Davis to approve the minutes as prepared. The motion carried 3 - 0 (Commissioner Clark not present at the time of the vote).

AGENDA ITEM III. BUSINESS FROM THE FLOOR

REQUEST FOR USE OF CITY PROPERTY: City Manager Blackburn reported that he had received a verbal request from Donnie Hall, minister of the Voice of Victory Church, to use the city's Poor Farm property to host a tent revival. City Attorney Davis advised that should the City Commission allow the use of city property to a group a no charge, the property would have to be made available to other groups. He further commented that the Poor Farm property has not been improved for public use and granting use may pose some liability issues. The Commission took no action on the request.

AGENDA ITEM IV. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$577,252.07 was presented to the Commission for approval of payment. Commissioner Davis made the motion, seconded by Commissioner Blackburn to approve payment of the bills as requested. The motion carried 4 - 0.

B. PIKEVILLE REDEVELOPMENT PROJECT: Presented for approval of payment was invoice #6 from Will Linder & Associates for administrative services in conjunction with the Sycamore Street, Phase I portion of the Pikeville Redevelopment Project. The invoice totaled \$5,000.00 and will be paid from CDBG funds. Mayor Morris made the motion to approve payment of Invoice #6 in the amount of \$5,000.00 to Will Linder & Associates. Commissioner Davis seconded the motion. The motion carried 4 - 0.

C. WATER IMPROVEMENT PROJECT: Presented was the following requests for payment:

- | | |
|---|-------------|
| • Russell H. Davis, Jr.: Local counsel services in conjunction with Rural Development Bonds | |
| 50% payment | \$2,792.50 |
| • Harper, Ferguson & Davis: Bond Counsel services - Rural Development Bonds | \$3,901.25 |
| • Alpha Reclamation: Water Line Extension (Contract 2A) Water line to tank | \$18,937.34 |
| • East KY Water: Plant & Intake Improvements (Contract 1) | \$37,287.50 |

Project coordinator, Sue Smallwood, reported the pay estimates had been approved by the City Engineer

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and by Rural Development. Mayor Morris made the motion, seconded by Commissioner Clark to approve payment of the aforementioned invoices. The motion carried 4 - 0.

AGENDA ITEM V.

OLD BUSINESS

A. MAIN STREET PROGRAM: Pikeville Main Street Board Chair, Sara George, delivered a verbal status report of the Main Street Program's activities for the month of September. Ms. George advised the Main Street Board has changed their regular meeting date and time to the third Thursday of each month at noon. The meetings will be held in the conference room at the *News-Express*. Ms. George reported there is currently a vacancy on the Main Street Board, due to the resignation of Reggie Smith. She invited submission of nominations for a new board member prior to the October 19th meeting.

1. Gateway Project: The construction of the gateway signs at the North end of Hambley Boulevard and at Baird Avenue is now underway. Commonwealth Building & Construction has a 90 day contract to complete construction of both gateways. The project should be completed around Thanksgiving.

2. Christmas Parade: The Christmas Parade is scheduled for December 2, 2000, beginning at 2 p.m. Ms. George reported that she had requested the Christmas Parade committee consider alternate locations for parade line-up, such as the Blue Goose Gym, so the parade participants could have a shelter out of the weather.

3. Utility Relocation Project: The Main Street Agency is working on a funding application for the next round of funding available to the city for the Utility Relocation Project. The application is due on December 8th. At the Main Street Board's previous meeting, the city engineer reported they are on schedule with mapping and bid document preparation so they can advertise for bids in January, 2001. Work is scheduled to begin the Monday following Hillbilly Days. First phase of the project involves installation of conduit at Huffman Avenue and Main Street. Verbal approval was given by the Kentucky Renaissance Alliance for the project area to be expanded to include the entire length of Huffman Avenue.

4. Budget Increase Request: Ms. George renewed the Main Street Agency's request for an additional \$20,000 allocation from the city's current year operating budget. Ms. George explained that part of the funds would be used to pay the salary of a full-time clerical employee, marketing and advertising costs, and to provide a contingency fund in case of emergencies. Ms. George told the Commission that any unused contingency funds would be returned to the city. Ms. George explained there is a part-time clerical employee, however the Main Street Board feels it is necessary to change that classification to full-time, due to the nearing commencement of construction activities for the utility relocation project. The Main Street Agency, as a provision to receive Renaissance Kentucky Funds and TEA-21 Funds, is required to have face-to-face contact with the property owners and tenants in the project area to prepare them for the construction activities and to be available to address questions and concerns regarding the project. The Main Street staff will also be responsible to coordinate traffic schedules with the Police Department and to communicate these schedules to the public. There are 76 structures in the project area, with 100 + tenants. Commissioners Davis and Blackburn voiced their support for the Main Street Program and the proposed project. Commissioner Davis explained that the city and the citizens will receive major benefits through the Main Street Program and the projects administered through their office. Through the Main Street Agency, the city has received in excess of \$2 million for various projects, with the city contributing about 5%, to date. City Manager Blackburn advised the Commission there are not sufficient funds in the budget to approve the allocation, however there are funds available in savings. Commissioner Davis made the motion, seconded by Commissioner Blackburn to approve the \$20,000 budget allocation to the Main Street Program beginning December 1, 2000, to be funded from savings, and further moved that the money be placed back in savings if tax collection exceeds budget estimates. The motion carried 4 - 0.

B. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, City Engineers, presented a status report for the following ongoing projects:

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1. Sandy Valley Sewer Extension: This sewer extension is being done in conjunction with the water line that services the new water storage tank (a portion of the water improvement project). The sewer line extension serves the Kanney property. Presented for consideration was change order #2 for consideration. Change order 2 provides for a net deduct of \$7,388.00 to the contract. An additional 76 linear feet of 8 inch gravity sewer pipe will be added to the contract which is required for the sewer taps agreed to in the construction easements. Total cost for additional encasement is \$2,812.00. The pavement replacement cost of \$10,200.00 will be deleted from the contract. The city will contract with Mountain Enterprises for pavement replacement. The roadway is a county road and was not in good condition at the beginning of the contract. Construction activities have further damaged the roadway. The county has agreed to participate in the cost for repaving the entire roadway, which is estimated to cost about \$1,000.00 more than the bid price. City Manager Blackburn reported that the street will not be repaved until spring, 2001. Commissioner Davis made the motion, seconded by Mayor Morris to approve Change Order 2 to Alpha Reclamation's Contract for a net deduct amount of \$7,388.00. The motion carried 4 - 0.

2. Kentucky Avenue Townhouse Project: Presented to the Commission in the agenda package was a letter from City Engineer Sykes to Governor Paul Patton, regarding the redevelopment of Kentucky Avenue and proposed street improvements. Mr. Sykes explained that the housing project is in two phases. The first phase is 40 units and the second phase provides for the construction of 20 additional units. In order to construct the housing, all the parking must be provided for on the street. Proposed is the widening of Kentucky Avenue to four lanes - two traffic lanes and two parking lanes. This takes care of providing the required number of parking spaces for the development and improves the street, as well. Planned is for the street to be widened to 44 feet, paved; installation of curb and gutter; and replacement of the sewer, gas, and water lines, and installation of storm drains as needed. It is necessary to construct a retaining wall behind the housing units. The retaining wall is about 1000 feet long and is estimated to cost \$600,000. There will be about 10 feet between the back of the housing units and the retaining wall. Using the excavated material from the retaining wall, Kentucky Avenue will be raised about 4 feet. The construction of the housing units has been funded, however there have been no appropriations approved for street improvements. The engineer proposes to make the street improvements at the same time as the housing units are constructed. Pursuant to conversations with Governor Patton, City Engineer Sykes has split the entire project into two phases. The entire project is estimated to cost \$1.5 million. It extends from Dr. Shockey's office to the tie-in of the Elm Street project (approximately 1600 feet of roadway improvement). First phase of the roadway improvements will begin at Dr. Shockey's office and go to the first housing units (cost estimated at \$800,000). The second phase would finish out to Elm Street (cost estimated at \$850,000). According to Mr. Sykes, Governor Patton has indicated he will appropriate the necessary funds over the next two years. Because of the manner the funding was approved for the housing units, a construction contract for the first 40 units needs to be awarded in September, 2001. Mr. Sykes has been told it will be August, 2001 before any funds become available for the road improvements. The Governor is asking that the City Commission authorize the design of the project, so the project can be bid when the money becomes available. In discussions with grant writer Will Linder, Mr. Sykes reported that Mr. Linder assures him that ARC funds are available for the construction of the retaining wall, and will be accessible in the needed time frame. Mr. Sykes explained that his firm does not have the expertise to design a retaining wall of this magnitude and recommended the employment of a structural engineering firm from Lexington, KY., Brown & Kubican, PSC. Brown & Kubican, PSC will design the retaining wall for \$10,000. Mr. Sykes advised that the agencies providing the funds for the construction of the housing units would have to approve the design of the retaining wall. Additionally, Mr. Sykes requested that Summit Engineering be authorized to design the road improvements for Kentucky Avenue. The design fee will be assessed at a per hour rate, for a total amount not to exceed \$65,000. It is expected that the design fees for both the retaining wall and the road improvements will be reimbursed once funds have been committed and approved. Mr. Sykes cautioned that the city has no real assurances that ARC funds will be committed for the retaining wall construction. Commissioner Davis made the motion to retain the firm of Brown & Kubican, PSC in the amount of \$10,000 to design the retaining wall, and to authorize Summit Engineering to design the Kentucky Avenue Road Improvements at a cost not to exceed \$65,000. The motion carried 4 - 0. Mr. Sykes advised the Commission that a progress meeting has been scheduled for October 18th to discuss the design of the Kentucky Avenue Townhouses.

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3. Renaissance Project: Mr. Sykes presented a letter he had written to Governor Patton concerning Phases II and III of the Utility Relocation Project. Mr. Sykes advised that the Governor had requested project costs for these phases.

Plans have been completed for the River Fill parking area. The City Engineer expects to be able to advertise for bids in the near future.

4. Water Improvement Project: Payment requests have been received and approved from East Kentucky Water and Alpha Reclamation. Mr. Sykes mentioned that Alpha Reclamation's invoice includes payment for the bore underneath the railroad. The Crom Corporation has completed the excavation on the water tank site and it is expected they will begin tank construction the first week of October. Concerning the work at the water plant, the divers have been working to clear the pipes of debris. Mr. Sykes commented that he did not think the pipes had been cleaned since they were installed, because the 30 inch pipes were nearly half full of debris. The telemetry contract should have been completed on this date. Mr. Sykes advised that the equipment for the telemetry have been delivered with the exception of the antenna. The antenna was ordered last March, however the manufacturer encountered problems delivering the product. Mr. Sykes told the Commission that the antenna was finally delivered to the contractor on this date, and expects the telemetry system to be in operation within two weeks. Mr. Sykes advised the Commission that a budgeting problem has been encountered. He explained that with grant and loan funds, plus a \$500,000 allocation from Professional Services Group, there was \$52,000 left for contingencies, after award of the various contracts. Through a miscommunication, it was learned that telemetry equipment had been purchased in November, 1998 from C.I. Thornburg in the amount of \$56,119. This purchase was paid from the \$500,000 PSG allocation. Rural Development officials have expressed concern there is no funds left for contingencies and have not been supplied with bidding documents. Mr. Sykes said the simplest way to resolve the problem is to pay C.I. Thornburg with city funds. Commissioner Blackburn made the motion, seconded by Mayor Morris to authorize the payment of \$56,119.00 to C.I. Thornburg be funded by the city (savings account). The motion carried 4 - 0.

5. South Mayo Gas/Water Extension: The contractor, South Creek Construction, Inc., is expected to begin work on the South Mayo gas and water line extensions this week.

6. Pauley Bridge: City Manager Blackburn requested the City Engineer to inspect the Pauley Bridge. Mr. Sykes presented pictures of the bridge and informed the Commission that the pedestrian walkway has been closed due to ill repair. Pedestrians are using the vehicular portion of the bridge, however Mr. Sykes reported there are rotting floorboards and he has a concern about the low height of the guardrails and side rails. Mr. Sykes advised the Commission that he did not think the bridge safe for pedestrian use. Mr. Sykes estimated the cost for necessary repairs at \$60,000. The Commission asked if there are any grant funds available for repairs since the bridge is on the National Register for Historic Places. Sue Smallwood advised that the bridge repairs might qualify for TEA-21 funds. The City Engineer advised that he would prepare a scope of work, look at the availability of grant funds, and report back at the next meeting. Commissioner Davis commented that the engineer needs to perform a safety inspection for the swinging bridge located at the Bypass. Commissioner Davis made the motion, seconded by Commissioner Clark to authorize a temporary closing of the Pauley Bridge until repairs are made. During discussion, the Commission directed the City Manager to block the bridge to pedestrian traffic and to place a sign notifying of the closing until such time as funds are secured and repairs made. It was further noted that if the city were unsuccessful in obtaining grant funds, that money would be allocated for repairs in the 2001/02 budget. The motion carried 4 - 0.

7. Elm Street: The design work, awarded to Summit Engineering, has been delayed by Pikeville College, pending the resolution to a right-of-way question. In this project area, there are a number of retaining walls along the street and there is some question as to how the project needs to be designed to protect the walls, which support the hillside. There are funds allocated in the project budget for a geotechnical engineer to perform a geotechnical exploration and provide engineering analyses. A proposal was received from Fuller, Mossbarger, Scott & May Engineers for a total amount of \$9,892.50. \$1,697.00 of the amount is for services associated with the Kentucky Avenue road improvements. Mayor Morris

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~~made the motion, seconded by Commissioner Davis to enter into a contract with Fuller, Mossbarger, Scott & May Engineers for geotechnical services for the Elm Street and Kentucky Avenue road improvement projects totaling \$9,892.50. The motion carried 4 - 0.~~

C. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, presented the following items for the Commission's consideration:

1. Budget Amendments: First reading was given to an Ordinance captioned as follows:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2000-2001 FISCAL YEAR.

The City Attorney pointed out that the largest amendment is to provide for a \$775,000 UDAG reimbursement to Pikeville Methodist Hospital.

Second reading of the ordinance was scheduled for the October 23, 2000 regular meeting.

2. Model Procurement Code: Presented and given second reading was the following ordinance captioned as follows:

AN ORDINANCE OF THE PIKEVILLE CITY COMMISSION ADOPTING THE STATE OF KENTUCKY'S MODEL PURCHASING CODE AS AMENDED (ORDINANCE O-2000-018)

City Attorney Davis explained the Kentucky General Assembly adopted an amendment to the State of Kentucky's Model Procurement Code which allows small purchases be made, without competitively bidding, where the aggregate amount of the contract is less than \$20,000.

Commissioner Clark made the motion to adopt the Ordinance as presented and read. Commissioner Blackburn seconded the motion. The motion carried by the following votes:

COMMISSIONER:	BILL BLACKBURN	YES
	EUGENE DAVIS	YES
	WANDA WILSON	ABSENT
	SHARON CLARK	YES
MAYOR:	FRANK MORRIS	NO

3. Property Tax Ordinance: Presented was an ordinance for consideration to set the tax rate on real and tangible property and franchises for the 2000-01 fiscal year. City Attorney Davis explained the tax rates would remain the same as the previous year (\$17.5 cents per \$100.00), however the penalty, after January 31, 2001 shall be assessed at 21%. This increase coincides with Kentucky Revised Statutes and the practices of both the Pike County and Pikeville Independent School Board taxing districts. The Ordinance was read entitled:

AN ORDINANCE FIXING A TAX LEVY ON REAL AND TANGIBLE PERSONAL PROPERTY, FRANCHISES, ALL FOR THE GENERAL OPERATING EXPENSE PURPOSES AND PROVIDING FOR A DUE DATE AND DISCOUNT ON ALL TAXES, IF PAID ON OR BEFORE NOVEMBER 1, 2000, AND A PENALTY IF NOT PAID BY DECEMBER 31, 2000. (ORDINANCE O-2000-017)

Commissioner Clark made the motion to declare an emergency and adopt the Ordinance. Said emergency being that immediate passage of the ordinance is necessary because property tax bills are due to be mailed out to taxpayers as soon as possible after the completion of the assessment by the PVA so tax revenue can be collected to fund the City's budget for the current year. Commissioner Davis seconded the motion. The motion carried by the following votes:

MAYOR:	FRANK M. MORRIS	YES
COMMISSIONER:	BILL BLACKBURN	YES

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EUGENE DAVIS	YES
WANDA WILSON	ABSENT
SHARON CLARK	YES

4. Urban Renewal Economic Development Bonds: The City Attorney presented a request from Community Trust Bank for a partial release of lien as it relates to the Urban Renewal Economic Development Bonds. It was explained that Dr. John Lowe applied for a loan under this program when he built his Hibbard Street dental office. At that time, he not only pledged his new office, but the bank required him to pledge property owned by him located at Broadbottom. Community Trust Bank is requesting the City to agree to release Dr. Lowe's Broadbottom property, as he has repaid the loan down to where the Hibbard Street property will provide the needed collateral. Commissioner Blackburn made the motion, seconded by Commissioner Davis to approve the partial release of lien. The motion carried 4 - 0.

D. CITY MANAGER'S REPORTS:

1. Ambulance Bids: Fire Chief Hall reported that 4 bids were received for the purchase of an ambulance. The bids ranged from 96,888.00 to \$104,682.12. The low bid was received from Wheeled Coach, however the bid did not meet specifications. Fire Chief Hall recommended award of the bid to the next lowest bidder, Horton, in the amount of \$99,824.00. Commissioner Davis made the motion, seconded by Commissioner Clark to award the bid for purchase of the ambulance to Horton in the amount of \$99,824.00. The motion carried 4 - 0. \$113,000 was allocated in the 2000/01 budget for purchase of the ambulance.

2. Employee Health Insurance: City Manager Blackburn reported that he had met with the Department Heads, who in turn met with the employees, concerning the employee health insurance. Mr. Blackburn reported that the employees have requested to keep the current level benefits at an increase in premium costs. The City Manager reported that he has been in contact with the insurance broker, who is now offering two additional tiers of coverage. The premiums will be as follows: Single Employee: \$265./mo (100% city funded); Employee/Spouse: \$472/mo (\$265.00 city funded + 25%); Employee/Children: \$435/mo (\$265.00 city funded + 25%); and Family: \$695/mo (\$265.00 + 25% city funded). Commissioner Clark made the motion, seconded by Commissioner Blackburn to approve the change from a two tier to a four tier health insurance program. The motion carried 4 - 0. Policy and premium changes will become effective on November 1, 2000. The City Manager commented that with the offering of two additional tiers, medical insurance coverage may be affordable for every employee who wants to subscribe.

3. Park Department : City Manager Blackburn advised the Commission of the resignation of Park Department employee, Mike Rich. Mr. Blackburn reported that he had advertised the position opening in-house, however received no requests for transfer. At the recommendation of the Park Director, Doug Justice, Mr. Blackburn recommended the Commission employ Johnny Adkins as a full-time park employee. Mr. Adkins' work schedule will provide for him to work on weekends. Mr. Adkins will be employed on a six months' probationary period. Commissioner Blackburn made the motion, seconded by Commissioner Clark to employ Johnny Adkins as a full-time employee for the Parks Department. The motion carried 4 - 0.

4. Fire Department: The City Manager reported there is a part-time vacancy in the fire department. Fire Chief Hall has recommended the part-time employment of James E. Sparks. Mr. Sparks currently serves as captain of the Volunteer Fire Department. Commissioner Davis made the motion, seconded by Commissioner Clark to employ James E. Sparks as a part-time fire fighter for the Pikeville Fire Department. The motion carried 4 - 0.

E. PIKEVILLE REDEVELOPMENT PROJECT: Project Administrator, Sue Smallwood, presented the following items for the Commission's consideration:

1. Housing Counseling: As discussed at the previous meeting, Ms. Smallwood presented an

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~~amendment to the Will Linder & Associates Consultants, Inc. contract to provide technical assistance and~~
program implementation services for the Pikeville Redevelopment Project - Phase I Sycamore Street target area. The compensation for the additional services (housing counseling) adds \$20,000.00 to the contract for a total contract amount of \$108,000.00. As directed at the previous meeting, an expanded scope of services, detailing the work to be performed, was submitted. Resolution R-2000-021 was presented as follows:

AMENDMENT TO AGREEMENT FOR TECHNICAL ASSISTANCE AND PROGRAM
IMPLEMENTATION SERVICES - PIKEVILLE REDEVELOPMENT PROJECT

This amendment is an attachment to the agreement entered into on the 28th day of February, 2000, by and between the City of Pikeville (hereinafter referred to as City) and Will Linder & Associates Consultants, Inc., (hereinafter referred to as Consultant) for performance of technical assistance and program implementation services.

WHEREAS, the agreement entered into on the 28th day of February, 2000, specified a maximum contract amount of \$88,000; and

WHEREAS, it has been determined that the services of a professional housing counselor are required for the successful implementation of the project;

NOW, THEREFORE, the City and the Consultant amend the original agreement as follows:

1. The Consultant will provide housing counseling services as identified in the attached scope of services for \$20,000.
2. The time of performance will not be changed.
3. The maximum compensation possible under this contract shall be increased from \$88,000 to \$108,000.

IN WITNESS WHEREOF, the City and the Consultant have executed this Amendment to the original February 28, 2000 Agreement, This amendment is effective retroactively as of February 28, 2000.

/s/ Frank M. Morris
Mayor

ATTEST:

/s/ Karen W. Harris
City Clerk

Commissioner Davis made the motion, seconded by Mayor Morris to adopt the resolution approving the amendment to Will Linder & Associates, Inc., Consultant's contract. The motion carried 4 - 0.

2. HOME Technical Assistance: Ms. Smallwood presented the following resolution and contract for program management and counseling services for Phase II (Kentucky Avenue) of the redevelopment project as it relates to the HOME funds. Ms. Smallwood advised that the services were advertised and two proposals were received. Not only was Will Linder & Associates' proposal the best, it was also the least expensive. Cost of the contract is \$120,000.

RESOLUTION OF THE CITY OF PIKEVILLE APPROVING THE PROJECT IMPLEMENTATION AND PROGRAM MANAGEMENT CONTRACT WITH WILL LINDER & ASSOCIATES IN CONNECTION WITH THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR THE PIKEVILLE REDEVELOPMENT PROJECT - PHASE II KENTUCKY AVENUE OF CITY OF PIKEVILLE, KENTUCKY

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RESOLUTION NO. R-2000-022

WHEREAS, the Kentucky Housing Corporation, Community Planning and Development Division approved a HOME Investment Partnership Program Grant for the City of Pikeville, Kentucky; and

WHEREAS, it has been determined that the services of a professional consultant are required for implementation of the HOME program;

NOW, THEREFORE, BE IT RESOLVED by the City of Pikeville (hereafter referred to as "LPA") that:

1. The contract between the LPA and Will Linder & Associates for project implementation and program management services relative to the HOME Program has been approved in the amount of:

- | | |
|--|-----------|
| 1. Counseling Services | \$20,000 |
| 2. Administration & Technical Assistance | |
| = 5% of HOME funds (\$2,000,000 X .05) | \$100,000 |

not to exceed a maximum of \$120,000 is hereby approved.

2. All fees paid will come from grants obtained on behalf of the Grantee and would be adjusted to that approved in an application by the Kentucky Housing Corporation as part of the application.

3. The obligations of the parties are totally contingent upon the obtaining of a Release of Funds from the Kentucky Housing Corporation and no project activities other than environmentally exempt activities may occur until the release is achieved.

Approved this 25th day of September, 2000.

Commissioner Blackburn made the motion, seconded by Commissioner Davis to approve the Resolution as presented. The motion carried 4 - 0.

/s/ Frank M. Morris
Frank M. Morris, Mayor

ATTEST:

/s/ Karen W. Harris
Karen W. Harris, City Clerk

3. HOME Application Authorization: Presented was the following resolution to authorize the submission of a HOME grant application for Phase IV of the redevelopment project (Kentucky Avenue).

RESOLUTION OF THE CITY OF PIKEVILLE, KENTUCKY AUTHORIZING THE FILING OF A 2000 HOME INVESTMENT PARTNERSHIP PROGRAM APPLICATION R-2000-023

WHEREAS, it is necessary and in the public interest that the City of Pikeville avail itself of the financial assistance provided by the Kentucky Housing Corporation, Division of Community Programs, to commence a 2000 HOME Investment Partnership Program within the community; and,

WHEREAS, it is recognized that the contract for such financial assistance pursuant to said 2000 HOME Investment Partnership Program will impose certain obligations and responsibilities upon the City of Pikeville and will require among other things;

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- (1) ~~Approval of a satisfactory application transmitted to the Kentucky Housing Corporation~~
Division of Community Programs;
- (2) Certification by the City of Pikeville relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies, and accounting practices; and,
- (3) Other local obligations and responsibilities in connection with the undertaking and carrying out of the 2000 HOME Investment Partnership Program; and,

WHEREAS, in those areas where acquisition and clearance is proposed, the objectives of the program cannot be achieved through more extensive rehabilitation, and a displacement strategy has been formulated;

NOW, THEREFORE, BE IT RESOLVED by the City of Pikeville:

- (1) That the United States of America and the Commonwealth of Kentucky be, and hereby are assured of full compliance by the City of Pikeville with certification relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act, and all requirements of the National Environmental Policy act of 1968
- (2) That the Mayor is authorized and directed to prepare such certification and to assure full compliance with all certifications as outlined in (1) above, and all other pertinent regulations.
- (3) That an application on behalf of the City of Pikeville for a grant of up to \$1,500,000 of said 2000 HOME Investment Partnership funds is hereby approved and that the Mayor, Frank Morris, is hereby authorized to execute and file such application with the Kentucky Housing Corporation, to provide such additional information and to furnish such documentation as may be required, and to act as the authorized correspondent of the City of Pikeville relating to the 2000 HOME Investment Partnership Program.

/s/ Frank M. Morris
Mayor

/s/ Karen W. Harris
ATTEST

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Commissioner Davis made the motion, seconded by Commissioner Clark to adopt the resolution as presented. The motion carried 4 - 0.

4. Just Compensation Resolution: Presented was the following resolution approving just compensation for the acquisition of Kentucky Avenue properties. Ms. Smallwood advised there is a meeting scheduled for October 4th with Kentucky Housing officials. It is expected that the city will begin making offers on the property shortly after this meeting.

ORDER OF THE PIKEVILLE CITY COMMISSION APPROVING THE DETERMINATION OF JUST COMPENSATION FOR ACQUISITION OF PROPERTY IN THE PIKEVILLE REDEVELOPMENT PHASE II - KENTUCKY AVENUE TARGET AREA OF PIKEVILLE, KY (R-2000-024)

WHEREAS, the Kentucky Housing Authority, has approved HOME Investment Partnership Program funds for acquisition of properties in the Pikeville Redevelopment Phase II - Kentucky Avenue Target Area; and,

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WHEREAS, in accordance with the Uniform and Relocation Policies Act of 1974 (the Uniform Act), the City of Pikeville (hereinafter referred to as "City") has obtained an appraisal of properties to be acquired through the HOME program; and,

WHEREAS, based upon the appraisals prepared by a competent appraiser it is necessary that the City determine the just compensation to be offered to each property owner;

NOW, THEREFORE, BE IT ORDERED, by the LPA that:

1. The Determination of Just Compensation for the properties to be acquired in the CDBG Target Area are hereby approved in the following amounts:

<u>Parcel #</u>	<u>Building</u>	<u>Address</u>	<u>Amount</u>
01	lot#1	Kentucky Avenue	\$9,000
02	37	273 Kentucky Avenue	\$53,600
03	101	106 Smith Street	\$65,000
04	103	810 Poplar Street	\$86,500
05	41	KY Avenue (Smith Street)	\$17,600
06	40	267/120 Kentucky Avenue	\$85,400
07	42	256 Kentucky Avenue	\$35,000
08	Lot#2	Kentucky Avenue	\$8,000
09	Lot#3	Kentucky Avenue	\$10,000
10	48	257 Kentucky Avenue	\$27,000
11	50	255 Kentucky Avenue	\$39,000
12	52	251 Kentucky Avenue	\$52,500
13	54	249/130 Kentucky Avenue	\$44,400
14	38	274 Kentucky Avenue	\$90,600
15	39	266 Kentucky Avenue	\$65,000
16	43	264 Kentucky Avenue	\$65,000
17	44	262/129 Kentucky Avenue	\$44,400
18	45	260/133 Kentucky Avenue	\$40,900
19	47	258/137 Kentucky Avenue	\$26,800
20	49	256/141 Kentucky Avenue	\$57,000
21	51	254/143 Kentucky Avenue	\$52,500
22	53	252 Kentucky Avenue	\$47,000
23	102	806 Smith Street	\$74,800

2. Pending concurrence on from an independent Review Appraiser, the Grants Coordinator is directed to make Offers for Purchase on properties in the Pikeville Redevelopment Project - Phase II - Kentucky Avenue area in the amount of the "Determination of Just Compensation" listed above, and to accept and sign all related acquisition documents relating to these offers on behalf of the City in order to eliminate slum and blight and provide for the assemblage of land.
3. That the draw down of funds is authorized to be made from the Kentucky Housing Corporation when signed Agreements for Sale are executed with property owners in the amounts approved above.
4. That acquisition procedures will be undertaken in accordance with all rules and regulations promulgated by the Commonwealth of Kentucky and the Uniform Act, as amended.

Approved this 25th day of September, 2000.

/s/ Frank M. Morris
MAYOR

/s/ Karen W. Harris
ATTEST

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~~Commissioner Clark made the motion, seconded by Commissioner Davis to adopt the Resolution as presented. The motion carried 4 - 0.~~

5. Condemnation Proceedings: Ms. Smallwood reported that the Commission had authorized, during a previous meeting, the acquisition of Sycamore Street property owned jointly by Garlena Smith, Barbara Grider & Sara Thompson. Ms. Smallwood advised that two of the property owners have agreed to the sale, however one property owner has failed to return the sales agreement. In an effort to proceed with the project in a timely manner, Ms. Smallwood requested adoption of the following resolution which authorizes the initiation of condemnation proceedings. Ms. Smallwood assured the Commission that she would contact the property owners again and make every effort to negotiate the sale without filing condemnation proceedings.

RESOLUTION OF THE CITY OF PIKEVILLE AUTHORIZING INITIATION OF CONDEMNATION PROCEEDINGS RELATIVE TO THE PIKEVILLE REDEVELOPMENT PROJECT - SYCAMORE STREET - PHASE I (RESOLUTION R-2000-025)

WHEREAS, certain real property is situated within the corporate limits of the City of Pikeville, Kentucky; and,

WHEREAS, the acquisition of such property is necessary by the City of Pikeville, Kentucky for the purpose of elimination of slum areas and blighted areas as stipulated in KRS Chapter 99.370; and,

WHEREAS, a Development Plan for the Pikeville Redevelopment Program has been prepared and adopted by the Pikeville City Commission in accordance with KRS Chapter 99, specifically identifying properties to be acquired and the public purpose for which the property scheduled for acquisition will be utilized after acquisition; and,

WHEREAS, negotiations with various owners of real property in the CDBG Target Area have failed to result in the purchase of the properties as identified in the Development Plan; and,

WHEREAS, KRS 416.550 TO 416.670 requires that the governing body of the municipality approve the initiation of condemnation proceedings wherein the property sought to be condemned lies;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE:

1. That the properties located in the Pikeville Redevelopment Project - Sycamore Street - Phase I Community Development Block Grant Target Area, upon which condemnation proceedings will be initiated, are located within the City of Pikeville and have been identified in the Development Plan prepared in accordance with KRS Chapter 99 and approved by the City Commission.
2. That the following described real property is needed by the City of Pikeville for purposes of elimination of slum and blighted areas and the related conditions caused by such areas, and are further identified as follows:

<u>Parcel #</u>	<u>Address</u>	<u>Owner of Record</u>
01	258 Sycamore Street	Garlena C. Smith 1/2 Barbara S. Grider 1/4 Sara Thompson 1/4

September 25, 2000

/s/ Frank M. Morris
MAYOR

/s/ Karen W. Harris
ATTEST

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Commissioner Davis made the motion to adopt the Resolution and presented and read. Commissioner Blackburn seconded the motion. The motion carried 4 - 0.

NEW BUSINESS

A. BOARD APPOINTMENTS: The Clerk submitted a memorandum to the City Commission concerning vacancies on various city agency boards. No action was taken.

B. TRICK-OR-TREAT: Commissioner Blackburn made the motion to schedule the date and time for the observance of Halloween Trick-or-Treat to coincide with the date and time selected by the Pike County Fiscal Court. Commissioner Davis seconded the motion. The motion carried 4 - 0.

C. TRACK TEAM: The Commission reviewed a letter of request from Pikeville High School Track Coach, Elizabeth White, to use the overlook at Bob Amos Park on October 28-29, 2000 to host a Haunted Forest. The hours of use will be from 6:00 p.m. to 10:00 p.m. each evening. Commissioner Blackburn made the motion, seconded by Commissioner Davis to grant the request. The motion carried 4 - 0.

D. CROSS-COUNTRY TRACK: Johnny Rasnick, Chair of the Cross Country Trail Board, appeared before the Commission to request permission to construct a new storage building at the upper level of Bob Amos Park and to ask for monetary assistance for the construction of the building. Currently, the Pikeville High School Cross Country Trail and Track teams use the small metal building located at the park to store their equipment, however the building is old and dilapidated. While the storage building will be used mainly for the storage of track supplies and equipment, the building will also provide storage for the Little League Football Program, as well as provide space for a timing shed, equipment, and a place for track participants to get in out of the weather.

Mr. Rasnick proposed the construction of an 18' X 24', 2-story, concrete block structure, with a metal roof. The 800 sq. foot structure is estimated to cost \$35.00 square foot to complete, for a total of \$30,000. (i.e. \$15,000. for material and \$15,000. for construction). Mr. Rasnick reported that he will raise \$10,000 in private donations if the city will agree to provide the building material. The actual construction work will have to be contracted. City Manager Blackburn reported that he is under the impression that Commonwealth Building & Construction Company has agreed to construct the building if the city will provide the material. Commissioner Davis pointed out that since the building will be constructed on city property, the city will own the building and the park director will schedule the use of the building. Discussion was had concerning the Commission's desire to have the storage facility bricked to ensure that it is architecturally compatible with the existing structures. Mr. Rasnick reported that he had considered using the brick that was left over from the city's recent construction of a park storage building. The City Manager advised there is not enough brick left to complete the proposed structure, however the brick is an in-stock item. While the new storage building will benefit Pikeville High School mostly, Pikeville College will also be able to store their cross-country trail equipment in the building. Mr. Rasnick explained that he had considered constructing the storage facility on the concrete pad next to the city's storage/office facility, however the Park Department wanted that for city facility expansion. Commission Members supported the construction of the new storage facility in that Cross-Country Trail/Track events provide tourism and recreational benefits for the community.

Commissioner Davis made the motion to authorize the construction of a new storage building and to provide the building materials to construct the facility, up to \$15,000., plus the cost of the brick. Commissioner Blackburn seconded the motion. During discussion, City Attorney Davis advised of the need to enter into a use agreement with the Pikeville Independent School District for use of the building and which will acknowledge that Pikeville High School nor any other contributor, other than the city of Pikeville, will have any ownership in building. The agreement will also provide that Pikeville High School will have first priority in use of the building. The motion carried 4 - 0.

There being no further business to come before the Commission, Commissioner Davis made the motion, September 25, 2000 - Page 12

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seconded by Commissioner Clark to adjourn the meeting. The motion carried 4 - 0. (Adjournment Time: 3:15 p.m.).

APPROVED:

Frank M. Morris
FRANK M. MORRIS, MAYOR

ATTEST:

Karen W. Harris
KAREN W. HARRIS, CITY CLERK