

# MINUTES } CITY OF PIKEVILLE

## PIKEVILLE CITY COMMISSION REGULAR MEETING MINUTES FEBRUARY 26, 2001

The Board of Commissioners of the City of Pikeville met in regular meeting on Monday, February 26, 2001. The meeting was conducted in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Frank Morris called the meeting to order at 6:00 p.m. Commission Members present at roll call were as follows:

MAYOR:	FRANK M. MORRIS	
COMMISSIONER:	STEVEN D. COMBS	6:06 p.m.
	EUGENE W. DAVIS	
	FRANK JUSTICE, II	
	DALLAS LAYNE	

### AGENDA ITEM II. MINUTES

The minutes from the February 7, 2001 special meeting were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Justice to approve the minutes as presented. The motion carried 4 - 0 (Commissioner Combs not present at the time of the vote).

### AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. NATURAL GAS RATES: Andrew Fellon of Fellon-McCord and Dale Haughn, of Energy Management of Versailles were present to discuss recommendations to improve the financial health of the natural gas system. Mr. Fellon, representing the brokers for the city's natural gas supply, suggested the city adopt an ordinance to provide for reviewing and making any adjustments to the natural gas rates to its customers on a quarterly basis. Mr. Fellon explained that because the cost for the commodity has decreased since the city increased its rates, there is a slight profit in the gas fund which will allow the reduction of the consumer rate by \$0.91 per MCF. Through the adoption of the ordinance, the city can correctly cover its costs during the low consumption periods or when the cost of the commodity decreases, allowing the savings to be passed on to the city's customers. Mr. Haughn explained to the Commission that the gas system efficiency can be improved with the purchase of equipment that monitors the moisture content of the gas at the delivery point. Energy Management tests the system about twice a year, however with the purchase of the monitoring equipment (estimated at \$7,500), the city will be able to test more frequently and advise the suppliers when maintenance needs to be performed on their equipment, thus improving the quality of the gas. Commissioner Justice asked if the natural gas rate could be amended retroactively. City Manager Blackburn explained the city has no mechanism capable of calculating rate amendments on a retroactive basis.

First reading was given to an Ordinance entitled:

ORDINANCE AMENDING SECTION 51.15 OF THE CODE OF ORDINANCES OF THE CITY OF PIKEVILLE DECREASING THE RATES AND FEES FOR NATURAL GAS SERVICE AND ADOPTING A QUARTERLY GAS COST RECOVERY ADJUSTMENT TO RATES AND FEES

Subject to adoption by the Commission, the ordinance will be effective with the April, 2001 billing (March usage).

The ordinance was placed on file for public inspection. Second reading was scheduled for March 12, 2001.

B. TRAFFIC FLOW: Smith Hill Street resident, Ronnie May, was present to request a clarification as to



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whether Smith Hill Street is a two-way or a one-way street. Mr. May reported that his daughter had received a ticket for reckless driving in failure to yield right-of-way on a one-way street. Mr. May explained that residents of the area have historically treated the area from the intersection of Pine St./Smith Hill, up the hill, as a two-way street, yielding right-of-way as necessary. About ten years ago, the city placed a sign designating the roadway as one-way, from the intersection of Smith Hill/Poplar St. Commissioner Davis reported the records were researched and no record was found designating the street as either two-way or one-way. Mr. May suggested adopting an ordinance to leave the traffic flow as is currently being observed by the residents. Commissioner Layne advised he had received a number of calls from area residents concerning the matter. He suggested moving the one-way sign to the Keesee driveway. One of the residents suggested installing a no outlet sign. After further discussion, it was decided to designate the portion of Smith Hill, extending from the intersection of Peach Orchard Drive to the intersection of the second Pine Street access, as a two-way street, and the remaining section of Smith Hill as a one-way street. An ordinance to this effect was presented and read entitled:

ORDINANCE DESIGNATING AS "TWO-WAY" THAT PORTION OF SMITH HILL, RUNNING FROM ITS INTERSECTION WITH PEACH ORCHARD DRIVE TO ITS INTERSECTION WITH THE SECOND PINE STREET INTERSECTION. THE REMAINING PORTION OF SMITH HILL SHALL BE DESIGNATED AS "ONE-WAY" (O-2001-006)

Due to traffic safety concerns, Commissioner Combs made the motion to declare an emergency and adopt the ordinance as presented and read. Commissioner Layne seconded the motion. The motion carried by the following votes:

MAYOR:	FRANK MORRIS	YES
COMMISSIONER:	STEVE COMBS	YES
	EUGENE DAVIS	YES
	FRANK JUSTICE, II	YES
	DALLAS LAYNE	YES

B. BOB AMOS PARK WALKING TRACK: Dan Stratton and Johnny Rasnick appeared before the Commission to discuss a number of proposed improvements for the Bob Amos Park. Mr. Stratton commented to the fact there are a number of entities, including Pikeville High School and Pikeville College, that utilize the park facilities at Bob Amos Park. Mr. Rasnick presented the Commission with a list of proposed improvements that would complete the facility. The proposal included the construction of a pressbox/storage facility; installation of a public address system; installation of bleachers; relocation of the long and triple jump pits; and lighting for the track/football fields and baseball/practice fields. Mr. Rasnick reported that construction of the pressbox/storage facility has been funded with the city providing \$15,000 for materials and \$5,000 for labor. Commonwealth Building is scheduled to begin construction around the first of March. City Manager Blackburn obtained quotes for the purchase of a public address system with the low quote coming in at \$2,300.00. Park Director Doug Justice has agreed to relocate the portable bleachers to the Bob Amos Park and to relocate the long and triple jump pits. Commissioner Justice was able to arrange the donation of labor and ditching to run the power for the lighting of both fields, however, the city will need to fund the purchase of the conduit. Due to the cost of lighting, Mr. Rasnick proposed the city purchase the lights for the football field this year (about \$56,000) and to purchase the lights for the baseball field when funds become available. Estimated cost for lighting the baseball field is \$69,000, however with placement of poles and installing two sets of lights on one of the poles, it is probable this cost will be reduced by approximately 15%. Additionally, Mr. Rasnick stated the baseball field lighting should be designed by a specialist because of the safety rules and regulations governing baseball fields. Commissioner Justice made the motion to purchase the lights necessary for both fields and to transfer the necessary funds from savings to pay for the lights. Commissioner Layne seconded the motion. The motion carried unanimously. Commissioner Combs made the motion to purchase the public address system at a cost of \$2,300.00. Commissioner Justice seconded the motion. The motion carried unanimously.

C. DOWNTOWN PARKING CONCERNS: No discussion was had regarding this matter as no group nor individual appeared at the meeting to present the concerns.



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D. TOURISM COMMISSION: Walter "Doc" Fletcher, Chairman of the Pikeville/Pike County Tourism Commission presented two items for the Commission's consideration:

1. Hotel/Motel Room Tax Fees: Mayor Morris advised that discussion concerning the allocation of hotel/motel room tax fees with the Tourism Commission needs to be conducted in closed session, due to a legal question.

2. History Museum: Mr. Fletcher asked the status of developing a history center/museum. He commented the Tourism Commission is very interested in seeing this project proceed. Commissioner Davis explained that a committee was formed to determine the feasibility of establishing a history center/museum. The committee suggested that the former city hall administration building be designated as the site of the museum. Because of the space constraints, a pictorial/video museum, commemorating several events in Pikeville's history and that of its residents and community partners, is suggested. Commissioner Davis further commented that the committee, consisting of David Deskins, Ed & Connie Maddox, Paul Kelly, Bill Blackburn, Jerry Slone, Phyllis Hunt and himself, met with a representative of the Heritage Council concerning funding for a museum. It appears the project will be eligible to receive only about \$1,200 in grant funds. Commissioner Davis advised that some money had been budgeted by the city for the proposed museum/history center. Mr. Fletcher recommended the Pike County Historic Society (PCHS) be permitted to house their offices in the building and be designated to operate the museum/history center, with the help of the Tourism Commission, City and County. Phyllis Hunt, Tourism Director, advised that architect, Chris Chrisman, has looked at the building and believes it suitable to house the museum/history center. Mrs. Maddox told the Commission the PCHS could certainly volunteer to staff the facility a couple of days a week, but advised that eventually, staff would have to be employed to operate the facility. Discussion was had as to whether the building should be leased to the Tourism Commission or to the PCHS. Mr. Fletcher advised the Commission the Tourism Commission was willing to assist with the project, however they did not want the responsibility of operating the facility. Mrs. Maddox suggested the committee meet to discuss these issues and to report their suggestions to the Commission at a later date. The Commission agreed that a meeting of the committee would be beneficial. Commissioner Davis made the motion to dedicate the former city hall building to house the history center/museum, subject to the project receiving adequate funding. Commissioner Combs seconded the motion. The motion carried unanimously.

At 7:45 p.m., Mayor Morris made the motion to adjourn to closed session for the purpose of discussing a legal matter concerning the hotel/motel room tax fees. Commissioner Justice seconded the motion. The motion carried unanimously.

At 8:30 p.m., Commissioner Combs made the motion, seconded by Commissioner Layne to reconvene the meeting to regular session. The motion carried unanimously.

No action was taken as a result of the closed session.

## AGENDA ITEM IV.

## PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling 443,229.17 was presented to the Commission for approval of payment. Commissioner Justice made the motion to approve payment of the bills as submitted. Commissioner Combs seconded the motion. The motion carried unanimously.

B. WATER IMPROVEMENT PROJECT BILLS: Presented for the Commission's approval were the following bills incurred in conjunction with the water improvement project. The bills were as follows:

1. Summit Engineering.....	\$14,500.00.....	Engineering Services
2. Alpha Reclamation.....	\$ 4,546.55.....	Water line to storage tank
3. East KY Water.....	\$159,978.93.....	Plant & Intake Repairs
4. Crom Corporation.....	\$ 2,850.00.....	Water Storage Tank
5. Micro-Comm Inc.....	\$16,413.92.....	telemetry for water tanks



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City Engineer Sykes advised that pay estimates from Alpha Reclamation and Micro-Comm Inc. are final invoices. The pay request from East Kentucky Water represents 80% of their contract's completion and the water storage tank is 92% complete. The pay requests have been reviewed and approved by Summit Engineering and Rural Development. Commissioner Combs made the motion, seconded by Commissioner Layne to approve payment of the invoices as requested. The motion carried unanimously.

The City Engineer advised that change order #3 from Alpha Reclamation for a net deduct of \$2,694.00 had previously been approved by the Commission.

C. PIKEVILLE REDEVELOPMENT PROJECT: Project Director, Sue Smallwood presented invoice #10 from Will Linder & Associates totaling \$15,000.00 for administration services for the Sycamore Street Phase I portion of the redevelopment project. Mayor Morris made the motion to approve payment of the invoice as submitted. Commissioner Combs seconded the motion. The motion carried unanimously.

AGENDA ITEM V. OLD BUSINESS

A. MAIN STREET PROGRAM REPORTS: Glendia Sawyers, Executive Director of the Pikeville Main Street Program, presented the following items for the Commission's consideration and approval:

1. River Fill Parking Lot: Presented for approval of payment was an invoice from Baldwin Contracting in the amount of \$44,793.45 for work to date on the improvements to the river fill parking area. Commissioner Combs made the motion to approve payment as requested. Commissioner Layne seconded the motion. The motion carried unanimously.

Also presented for approval were change orders #1 and #2 in the amounts of \$1,903.04 and \$4,542.50, respectively. Because of lack of funding, all sidewalks and improvements were deleted from the courthouse side of the project. After looking at the site, Mr. Sykes advised the area was too steep to leave as is and recommended the installation of two sets of steps and handrails leading from the River Fill parking lot to Division Street. Mr. Sykes advised there are no contingency funds in the project. Commissioner Combs made the motion, seconded by Commissioner Justice to approve Change Order #1. The motion carried unanimously. The lighting on the courthouse side had also been deleted, however American Electric Power had already ordered the poles and fixtures. Mr. Sykes recommended the placement of the double light at the corner of the Hall of Justice and the single light at the steps previously approved in Change Order #1. The cost of \$4,542.50 includes the conduit, wiring and asphalt replacement. Commissioner Davis made the motion, seconded by Commissioner Combs to approve Change Order #2. The motion carried 4 - 0 - 1 with Commissioner Justice abstaining from the vote.

2. Utility Relocation Project: Presented for approval of payment was an invoice from Summit Engineering, Inc. in the amount of \$6,800.86. It was explained the invoice covers Phase I mapping and engineering services for design of the underground utilities along Main Street. Commissioner Combs made the motion to approve payment of the invoice as requested. Commissioner Davis seconded the motion. The motion carried unanimously.

Submitted for approval was an agreement between the Kentucky Transportation Cabinet and the City of Pikeville for the underground utility relocation project - Phase I. The agreement provides for a grant of \$500,000 of Federal Highway Administration funds subject to the city providing 20% in matching funds or in-kind services. A resolution accepting the funds was presented and read as follows:

RESOLUTION AUTHORIZING APPROVAL AND EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PIKEVILLE AND THE KENTUCKY TRANSPORTATION CABINET FOR USE OF TEA-21 FUNDS FOR THE PIKEVILLE UTILITY RELOCATION PROJECT (R-2001-007)

WHEREAS, an agreement has been presented to the Pikeville City Commission between the City of



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Pikeville and the Kentucky Transportation Cabinet, and;

WHEREAS, the said Agreement concerns the allotment of TEA-21 funds for improvement of the sidewalks and other streetscape improvements in conjunction with the Utility Relocation Project.

NOW, THEREFORE, BE IT RESOLVED that the said Agreement is approved and the Mayor is authorized to execute the same and to bind the City to the terms thereof.

At Pikeville, Kentucky this 26th day of February, 2001.

Commissioner Davis moved the adoption of the foregoing Resolution and to authorize the Mayor to execute the agreement. Commissioner Combs seconded the motion. The motion carried unanimously.

The Commission was advised that work would begin on April 23, 2001.

3. Renaissance Kentucky Funds: It was explained that because the City of Pikeville has achieved the Gold Level Status as a Renaissance Kentucky City, Pikeville is entitled to an additional \$150,000.00. The City of Pikeville, through Will Linder & Associates, is in the process of preparing a financing package for the Pikeville Redevelopment Project - Kentucky Avenue Phase II, 40 unit affordable housing construction. Community Trust Bank has agreed to provide financing for the project, subject to the City applying for the \$150,000 direct appropriation fund and designating the grant to be used toward the Redevelopment Project. Pikeville Main Street Director Sawyers reported that the Main Street Board voted to designate these funds toward the Pikeville Redevelopment Project - Phase II. The resolution was presented and read entitled:

## RESOLUTION # R-2001-008 AUTHORIZING THE USE OF RENAISSANCE DIRECT APPROPRIATION FUNDS

WHEREAS, The City of Pikeville, in the public interest of the community, has made application for, and received approval as a Renaissance Kentucky Gold Designated Community; and,

WHEREAS, it is recognized that the State contract for such financial assistance will impose certain obligations and responsibilities upon the City of Pikeville and will require among other things:

- (1) approval of a satisfactory proposal transmitted to the Kentucky Renaissance Alliance;
- (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 Renaissance Direct Appropriation Program; and,

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.



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- (3) that the use of \$150,000 of said Renaissance Direct Appropriation funds for the Pikeville Redevelopment Project - Kentucky Avenue Phase II 40-unit affordable housing construction project is hereby approved by the City of Pikeville and that the Mayor is hereby authorized to execute any necessary documentation with the Kentucky Renaissance Alliance, to provide such additional information, to furnish such documentation as may be required, and to act as the authorized correspondent of the City of Pikeville relating to the Renaissance Program.

/s/ Frank M. Morris  
MAYOR

/s/ Karen W. Harris  
ATTEST

DATE: February 26, 2001

Commissioner Combs made the motion, seconded by Commissioner Layne to adopt the resolution and to authorize the submission of the grant application. The motion carried unanimously.

4. Underground Utility Relocation Project: Ms. Sawyers reported that allotted TEA-21 funds are not adequate to fund the second phase of the Utility Relocation Project and it is necessary to submit an application in the amount of \$1 million for a Community Development Block Grant (CDBG) to fund this \$2,032,000 project. Commissioner Combs questioned whether the application for a CDBG would prevent the city from receiving a CDBG for the redevelopment project. Grant writer, Will Linder, was present and explained this particular CDBG is funded through the Renaissance Alliance and will have no bearing on future CDBG applications.

Presented and given reading was the following resolution:

## ORDER OF PIKEVILLE, KENTUCKY AUTHORIZING THE FILING OF A 2001 KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT RENAISSANCE APPLICATION (R-2001-009)

WHEREAS, it is necessary and in the public interest that the City avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974, and the 1981 Amendments permitting the Kentucky Department of Local Government, Division of Community Development, to commence a Community Development Program within the community; and,

WHEREAS, it is recognized that the Federal/State contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the City and will require among other things:

- (1) Approval of a satisfactory application transmitted to the Kentucky Department of Local Government, Division of Community Development,
- (2) Certification by the City 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 Kentucky Community Development Block Grant 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 ORDERED 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 with certification relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting



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~~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 for a grant of up to \$1,000,000 of said Title I funds for Renaissance activities is hereby approved (pending favorable response as determined through input provided at a public hearing) and that the Mayor is hereby authorized to execute and file such application with the State Department of Local Government, to provide such additional information and to furnish such documentation as may be required, and to act as the authorized correspondent of the City relating to the Kentucky Community Development Block Grant Program

/s/ Karen W. Harris  
ATTEST

/s/ Frank M. Morris  
MAYOR

DATE: February 26, 2001

Commissioner Combs made the motion to adopt the resolution as presented and read. Commissioner Justice seconded the motion. The motion carried unanimously.

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

1. Elm Street Widening Project: The college is assisting the city, in terms of funding, to construct significant improvements to Elm Street. The project begins at the intersection of Hambley Boulevard and ends about 100 ft. after crossing the hill. Elm Street will be widened to three lanes at the intersection of Hambley Boulevard (two turning lanes), improve the curve radii, and construct and pave a parking lot adjacent to Condit Hall. The engineer's estimate for the project is just over \$507,900. Three bids were received, with the low bid coming in at \$533,505.60 from Mountain Enterprises, Inc. After discussions with college officials, the engineer will be recommending approval of a change order to deduct \$30,771.00 from the contract. Mr. Sykes explained that landscaping and lighting for the parking lot will be deducted from the contract. College officials have indicated their intent to provide for these items outside of Mountain Enterprises' contract. Mr. Sykes advised that another change order will be presented to the Commission to add back into the contract the trenching and conduit for the lighting system, however he has not received the estimate from Mountain Enterprises at this time. He estimated the addition to the contract to be around \$2,000. The Department of Transportation has agreed to fund \$500,000. of the project. Pikeville College has agreed to fund the remainder of the project. Substantial completion of the contract is projected for mid July. Commissioner Davis made the motion to award the contract for the Elm Street Improvement Project to Mountain Enterprises, Inc. in the amount of \$533,505.60. Commissioner Combs seconded the motion. The motion carried unanimously.

Commissioner Justice made the motion to approve Change Order #1 deducting \$30,771.00 from the Mountain Enterprises, Inc. contract for the Elm Street Improvement Project. Commissioner Combs seconded the motion. The motion carried unanimously.

2. Water Tank Painting: City Engineer Sykes reported that two bids had been received for the painting of the water storage tank located at Bob Amos Park. The low bid was submitted by Aaron Contractors in the amount of \$25,950.00. Mr. Sykes explained that an alternate bid had been accepted for a different type of paint. Aaron Contractors submitted a bid of an additional \$3,250.00 for this work. The engineer advised the benefit in changing the paint did not warrant the additional cost and recommended award of the base bid to Aaron Contractors in the amount of \$25,950.00. Commissioner Davis made the motion, seconded by Commissioner Justice to award the bid for the painting of the Bob Amos Water Storage Tank to the low bidder, Aaron Contractors in the amount of \$25,950.00. The motion carried unanimously.



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3. Thompson Road Sidewalk: As directed at the previous meeting, Mr. Sykes prepared cost estimates for the installation of a sidewalk originating at the Pauley Bridge, paralleling Thompson Road, extending to Keel Addition, crossing the road at Super 8 to Cassidy Boulevard and extending to Lake Joann. Two alternates were prepared to accomplish the sidewalk construction. Alternate 1 provides for the sidewalk to be constructed of concrete. It will be necessary to negotiate easements with about 15 property owners as the 30 ft. roadway easement is used entirely by the roadway. Mr. Sykes estimated the cost of acquisition at \$5,000 per tract, however indicated he thought this estimate too low. Alternate 1 will also require the relocation of a storm drain. Estimated cost for Alternate 1 is \$256,000. Alternate 2 provides for the construction of a multi-use trail which will cross the railroad tracks just after entering from the Lake Joann bridge and will follow the natural trail until reaching the Interstate Natural Gas building. Mr. Sykes proposes to pave the trail. Alternate 2's estimated cost is \$101,000. Commissioner Combs suggested scheduling a work session with the residents to discuss the proposals.

Mr. Sykes reported that he had also been asked to prepare a cost estimate to construct a sidewalk from Myers Tower down to Julius Avenue. The estimate was prepared in three segments - from Division to Huffman; from Huffman to Elm; and from Elm to Julius. Because of sloped areas down to where the sidewalk should be constructed, Mr. Sykes advised that retaining walls will have to be constructed in the vicinity of Myers Tower. The retaining wall will also provide protection for the Myers Tower parking lot. Costs to extend the sidewalk in the area are: Division to Huffman: \$57,050; Huffman to Elm: \$60,900; and Elm to Julius: \$61,050. The Commission decided the matter should be discussed further in a work session.

4. Pauley Bridge Replacement: Because of the Commission's interest in constructing another bridge in the Pauley Addition area, Mr. Sykes advised that a traffic study should be conducted to assist in the acquisition of funding. A proposal from Wilbur Smith & Associates was presented to conduct the traffic study for an amount not to exceed \$11,500.00. No action was taken.

5. Parking Structure: The city engineer reported he had attended a couple of meetings in Frankfort concerning the funding for the parking structure. The Department of Transportation has committed \$2 million in federal transportation funds, however there is a transit element contingency, which provides for the transit service to have an office and/or a parking space designated in the parking structure. Mr. Sykes has been told the funds can be routed through the Sandy Valley Transit Authority. Transportation Engineer John Carr indicated to Mr. Sykes, Sandy Valley Transit Authority's willingness to participate in the project. Congressman Rogers' office reports that \$860,000 in CDBG direct fund allocations have been designated to the project. While Frankfort officials have no record of the allocation, notification is expected within the next thirty days. Additionally, Congressman Rogers' office reports that \$5.1 million will be allocated for the project in the 2002 federal budget. Frankfort officials will be administering the transportation funds and have requested an Environmental Site Assessment; Traffic Impact Assessment; and zoning regulations for the site. The latter two items are available, however, Mr. Sykes said Summit Engineering would have to prepare the Environmental Site Assessment at a cost of \$1,300.00. The approved funding should become available by July 1, 2001. Because Summit Engineering has had a long-term working relationship with the city and is qualified to design the parking structure, Transportation Engineer Carr has indicated that Summit Engineering can be given the approval to proceed with design so it will be ready by the time the remainder of the funds become available. Mr. Sykes advised that Summit Engineering would retain the services of a parking structure design expert. He also explained that he does not have the contract agreement for design services prepared at this time, but assured the Commission the project's design engineering fees would be within the allotted funds. He further commented that Summit Engineering would delay requests for payment until the city begins to draw down the funds. Commissioner Davis made the motion to endorse Summit Engineering as the design engineer for the parking structure project. Commissioner Layne seconded the motion. The motion carried unanimously.

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



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## 1. ~~Second reading was given to an Ordinance entitled:~~

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

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

MAYOR:	FRANK M. MORRIS	YES
COMMISSIONER:	STEVEN D. COMBS	YES
	EUGENE W. DAVIS	YES
	FRANK JUSTICE, II	YES
	DALLAS LAYNE	YES

## 2. Presented and given first reading was an Ordinance entitled as follows:

ORDINANCE TO AMEND THE OCCUPATIONAL LICENSE FEE OF THE CITY OF PIKEVILLE PASSED MAY 14, 1962, JUNE 11, 1962, JUNE 30, 1962, DECEMBER 27, 1971, SEPTEMBER 25, 1991 AND MAY 22, 2000 SO TO DECREASE THE MINIMUM OCCUPATIONAL LICENSE FEE FOR CONTRACTORS FROM ONE HALF (1/2) OF ONE (1) PERCENT TO ONE FOURTH (1/4) OF ONE (1) PERCENT AND AMENDING THE OCCUPATIONAL FEE REGULATIONS SO TO REFLECT THE DECREASE IN THE MINIMUM OCCUPATIONAL LICENSE FEES FOR CONTRACTORS AND ESTABLISHING EFFECTIVE DATE OF SAID DECREASE FOR MARCH 1, 2001

While the Ordinance is not scheduled for second reading until March 12, 2001, the City Attorney advised the Ordinance's effective date is March 1, 2001.

## 3. Presented and read was a resolution in honor of Chester Bailey, former principal of Pikeville Elementary School, now deceased. The resolution was read as follows:

RESOLUTION RECOGNIZING AND HONORING CHESTER D. BAILEY FOR HIS LONG TIME SERVICE AS AN EDUCATOR, PRINCIPAL AND CIVIC LEADER (R-2001-010)

WHEREAS, Chester D. Bailey graduated from Pikeville College in 1959 and earned a Master's Degree in 1964 from Morehead University and taught at Hellier High School from 1959 to 1966.

WHEREAS, in 1971, Chester D. Bailey became principal of the Pikeville Elementary School where he tirelessly worked to improve the educational facilities and educational instruction for elementary students. Principal Bailey was loved and admired by all of his current and former students and will be deeply missed by all.

WHEREAS, Chester D. Bailey, during his career, was recognized many times for his outstanding achievements. In 1990, the State Board of Education recognized Mr. Bailey's career long achievements by awarding to him an accommodation, the first such accommodation given to an individual. The *Community Trusting Principal* recognition was awarded to Mr. Bailey for his "extraordinary ability to bring the faculty, administration and community together for the sake of the children". In 1994, he was named *Principal with Principles* by Forward in the Fifth, an educational group that serves Eastern and Southern Kentucky and honors outstanding educators.

WHEREAS, Chester D. Bailey, in addition to his services as educator, was an outstanding citizen and served his community in many other ways, In 1993, he was voted Citizen of the Year by members of the Pikeville Kiwanis Club.

WHEREFORE, BE IT RESOLVED BY THE COMMISSION for the City of Pikeville that Chester D. Bailey is hereby recognized and honored by the City of Pikeville for his lifelong achievements as an educator, principal and outstanding citizen, and his accomplishments as such shall duly be noted in the



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~~records for the City of Pikeville and this Resolution published in accordance with the laws of the Commonwealth so that Chester D. Bailey's achievements and accomplishments shall be noted by others.~~

Commissioner Combs moved for the adoption of the foregoing resolution. Commissioner Davis seconded the motion. The motion carried unanimously.

C. CITY MANAGER'S REPORTS: Kenny Blackburn, City Manager, presented the following items for the Commission's consideration:

1. Hatcher Court Property Acquisition: City Manager Blackburn reported that he had contacted Mary Mandt concerning the possibility of the city purchasing her family's tract of property adjacent to Huffman Avenue/College Street for the purpose of constructing a parking garage. Ms. Mandt responded to the city manager's inquiry and quoted a price, which included the house and property adjacent to the parking lot. Said price was disclosed to the Commission. The City Manager was directed to propose a counter-offer. Ms. Mandt has not responded to the counter-offer.

2. Zoning Code: Building Inspector/Codes Administrator Richard Huffman was out of town and could not attend the meeting. The matter concerning a zoning code question was postponed until the next meeting.

3. Walking Track Schedule: The Commission reviewed a request from the Pikeville High School Track coach to close the track to public use during practice and track meets due to safety concerns. The schedule of dates were included in the Commission's agenda package. Commissioner Combs made the motion to grant the request and directed the schedule of closings be posted in advance. Commissioner Davis seconded the motion. The motion carried unanimously.

4. Executive Session: City Manager Blackburn advised that Commissioner Combs had requested a closed session for the purpose of discussing a personnel matter. The closed session was delayed until the end of the meeting.

5. Fire Chief Hall explained that he has been working on condemnation proceedings on a dilapidated structure on Peach Orchard for the past two years. The property is owned by a number of heirs, all of whom have not been identified. The Fire Chief reported that, because of safety issues, he accepted bids to have the structure removed. The low bid was presented by Spike Contracting in the amount of \$3,990.00. City Attorney Davis reported the Commission could pay to demolish the structure and attach a lien to the property. Commissioner Justice made the motion, seconded by Commissioner Combs to award the bid for demolition to the low bidder, Spike Contracting, and to file a lien against the property. The motion carried unanimously.

D. PIKEVILLE REDEVELOPMENT PROJECT: Project Director, Sue Smallwood, presented the following items for the Commission's approval:

1. Presented for approval was an agreement between the City of Pikeville, the Pikeville Housing Authority, and the Pikeville Affordable Housing (a/k/a non-profit corporation) concerning the ownership, operation, maintenance, and financial obligations of the Kentucky Avenue Townhouse Project. Commissioner Combs made the motion, seconded by Commissioner Layne to approve the agreement as prepared. The motion carried unanimously.

2a. Establish line of Credit: To assist the non-profit corporation with upfront expenses, Ms. Smallwood presented the Commission with an agreement between the City of Pikeville and Pikeville Affordable Housing to establish a line of credit up to \$200,000. Expected expenses include fees for a CPA, Attorney, structure of the tax credits, and architectural fees. Commissioner Justice made the motion, seconded by Commissioner Layne to authorize the establishment of a line of credit in the amount of \$200,000 with Pikeville Affordable Housing. The motion carried unanimously.

b. Approve draw down : Ms. Smallwood presented a draw down request totaling \$70,257.00 for



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architectural fees from Summit Engineering (\$69,507) and 750.00 for tax credit filing fee. Commissioner Justice pointed out that Mr. Sykes of Summit Engineering, had relayed to he and Commissioner Combs that Summit Engineering would delay submitting their bill for architectural services in design of the Kentucky Avenue Townhouses until the complete funding package has been approved. Based on that conversation, Commissioner Justice made the motion, seconded by Commissioner Layne to approve a draw down request in the amount of \$750.00. The motion carried 5 - 0.

3. Phase V. - High Street: Presented for approval was a resolution to authorize the filing of a \$500,000 CDBG application for Phase Five of the High Street Project. The resolution was read as follows:

## ORDER OF PIKEVILLE, KENTUCKY AUTHORIZING THE FILING OF A 2001 KENTUCKY COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING APPLICATION

WHEREAS, it is necessary and in the public interest that the City avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974, and the 1981 Amendments permitting the Kentucky Department of Local Government, Division of Community Development, to commence a Community Development Program within the community; and,

WHEREAS, it is recognized that the Federal/State contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the City and will require among other things:

- (1) Approval of a satisfactory application transmitted to the Kentucky Department of Local Government, Division of Community Development;
- (2) Certification by the City 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 Kentucky Community Development Block Grant 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 ORDERED 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 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 for a grant of up to \$500,000 of said Title I funds for housing activities is hereby approved (pending favorable response as determined through input provided at a public hearing) and that the Mayor is hereby authorized to execute and file such application with the State Department of Local Government, to provide such additional information and to furnish such documentation as may be required, and to act as the authorized correspondent of the City relating to the Kentucky Community Development Block Grant Program.

/s/ Karen W. Harris

/s/ Frank M. Morris



## MINUTES } CITY OF PIKEVILLE

ATTEST

MAYOR

DATE: February 26, 2001

4. HOME Funds: Presented for approval was a funding agreement between the City of Pikeville and the Kentucky Housing Corporation for \$2 million in Home Funds to be applied to the Kentucky Avenue Townhouse Project. The agreement is actually written as if it were a loan with a 30 year term, however the debt is forgiven at the conclusion of the term. Commissioner Combs made the motion to adopt the agreement. Commissioner Layne seconded the motion. The motion carried unanimously.

5. Kentucky Avenue Townhouse Project: Presented for approval was a loan commitment between the City of Pikeville and the Kentucky Housing Corporation in the amount of \$230,000 for the Kentucky Avenue Townhouse Project. The loan is for a term of 25 years, with an interest rate of 1%. Mayor Morris made the motion, seconded by Commissioner Davis to approve the loan commitment as presented. The motion carried unanimously.

Public Hearings were announced for February 27, 2001 beginning at 10 a.m. for the CDBG Fund, Phase V, High Street; CDBG Renaissance for underground utility relocation; and CDBG Renaissance Direct Allocation - Kentucky Avenue Townhouses.

At 10:16 p.m., Commissioner Combs made the motion, seconded by Commissioner Layne to adjourn to closed session for the purpose of discussing a personnel matter. The motion carried unanimously.

At 11:26 p.m., Commissioner Combs made the motion to reconvene to regular session. Commissioner Layne seconded the motion. The motion carried unanimously.

The Commission announced there was no action required as a result of the closed session.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Justice to adjourn the meeting. The motion carried unanimously. (Adjournment Time: 11:29 p.m.)

The City Commission's next scheduled meeting is March 12, 2001 at 6:00 p.m. The meeting will be held in the City Hall Public Meeting Room located at 118 College Street.

APPROVED: \_\_\_\_\_

*Frank M. Morris*  
FRANK M. MORRIS, MAYOR

ATTEST:

*Karen W. Harris*  
KAREN W. HARRIS, CITY CLERK