

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES JULY 13, 2001

The Board of Commissioners of the City of Pikeville met in Special Meeting on Friday, July 13, 2001. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky. The Special Meeting was called for the following purposes:

1. CONSIDER APPROVAL OF THE JUNE 19 AND 25, 2001 MEETING MINUTES
2. CONSIDER FURTHER THE PAYMENT REQUESTS FROM BALDWIN CONTRACTING FOR THE RIVER FILL PARKING IMPROVEMENT PROJECT AND TAKE ANY NECESSARY ACTION.
3. CONSIDER A STATUS REPORT CONCERNING THE MARION'S BRANCH PROPERTY OWNER'S REQUEST TO BLACKTOP THEIR ROAD AND TAKE ANY NECESSARY ACTION.
4. CONSIDER A STATUS REPORT CONCERNING THE RELOCATION OF THE ISLAND CREEK FIRE STATION TO A LOCATION ON SOUTH MAYO TRAIL AND TAKE ANY NECESSARY ACTION.
5. CONSIDER A REPORT REGARDING THE RE-GRADING AND RE-SEEDING OF THE PROPERTY ACQUIRED IN THE FIRST PHASE OF THE REDEVELOPMENT PROJECT (SYCAMORE STREET) AND TAKE ANY NECESSARY ACTION.
6. CONSIDER DISCUSSION CONCERNING A COST-OF-LIVING INCREASE FOR CITY EMPLOYEES AND TAKE ANY NECESSARY ACTION.
7. CONSIDER A STATUS REPORT CONCERNING THE EFFORTS IN ACQUIRING PROPERTY TO LOCATE THE PARKING STRUCTURE.
8. CONSIDER A CLOSED SESSION FOR THE PURPOSE OF DISCUSSING A PROPERTY ACQUISITION MATTER AND A PERSONNEL MATTER WITH THE POLICE CHIEF.

There being a quorum present, Mayor Pro-Tem Steven D. Combs called the meeting to order at 2:00 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	STEVEN D. COMBS EUGENE W. DAVIS FRANK JUSTICE, II DALLAS LAYNE
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Mayor Frank M. Morris was absent.

1. Minutes: The minutes from the June 19 and 25, 2001 meetings were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Davis made the motion, seconded by Commissioner Layne to approve the minutes as presented. The motion carried 3 - 0 - 1 with Commissioner Justice abstaining from the vote.

2. River Fill Parking Improvement Project: Resubmitted for the Commission's consideration were pay requests 5 and 6, in the amounts of \$60,429.64 and \$21,413.80, respectively, on behalf of Baldwin Contracting. Addressing Commissioner Combs' concern for landscaping or other items not being properly installed, City Engineer Sykes advised that work currently being performed on the landscaping portion deals with weed control. He further advised there is a bond in place that

~~protects the city against any problems with workmanship for a period of one year after the date of~~ contract completion. City Attorney Davis explained it would be improper for the city to withhold payment of any funds for work covered by bond. The City Attorney, however, pointed out the Commission could assess liquidated damages. Baldwin Contracting exceeded the 90 day contract by 61 days. Mr. Baldwin contends the contract period was exceeded due to extra work, inclement weather, and Hillbilly Days. The Commission argued the contract should have been completed prior to Hillbilly Days. Additionally, there was no change order presented to request additional time due to the extra work or weather. City Attorney Davis advised the change orders requesting additional time should have been submitted within 21 days of the qualifying event. Commissioner Justice spoke to the importance of contractors completing contracts within the specified time period due to the amount of construction being performed within the city at this time. He further commented the Commission needs to be firm with contractors and send the message that completing a contract in an untimely manner will no longer be tolerated. Commissioner Davis made the motion, seconded by Commissioner Layne to approve payment of estimate #5 in the amount of \$60,429.64. The motion carried 4 - 0. Pursuant to provisions of the contract, the Commission agreed offer to settle the matter by assessing \$200.00/day liquidated damages for a period of 20 days. Commissioner Justice made the motion to approve payment of the retainage in the amount of \$21,413.50 less the assessed liquidated damages, subject to agreement of the proposed settlement by the contractor. Commissioner Layne seconded the motion. The motion carried 4 - 0.

3. Marion's Branch: City Manager Blackburn reported he received an estimate from Mountain Enterprises in the amount of \$252,875.00 to place 8" of base and 1" of surface on the one mile portion of roadway located within the city limits. \$75,000.00 is budgeted for paving for Marion's Branch this fiscal year. The City Manager advised the city may get some funding assistance through the state. The Commission directed the City Manager to poll the residents to determine which section should be paved this fall. The Commission also directed the City Attorney to prepare an ordinance to set the speed limit on Marion's Branch Road at 25 m.p.h. Further action on both matters was delayed until the July 23rd meeting.

4. South Mayo Trail Fire Station: Fire Chief Hall distributed a list of properties located along South Mayo Trail that may be suitable for a fire station location. Of the eight possible locations, the Fire Chief ranked the old Hall Furniture Store location, the lot beside State Electric, and the lot next to Happy Mart, owned by Larry Blake Pinson, as the most desirable sites. Commissioner Davis made the motion, seconded by Commissioner Layne to authorize the City Manager to pursue the acquisition of property and to authorize the Fire Chief to prepare an estimated cost of construction of a fire station, similar in size to the Thompson Road Station. The motion carried 4 - 0. Fire Chief Hall advised the Commission that additional personnel will be necessary upon the completion of the station.

5. Sycamore Street Property: The need to re-grade and re-seed the hillside at the location on Sycamore Street where the first houses of the redevelopment project have been demolished, was discussed. Project Coordinator Sue Smallwood advised the Commission that this work will be placed in the specifications for demolition of the next segment of houses on Sycamore Street. Ms. Smallwood expects the demolition contract for the next segment to be awarded by the end of August. Commissioner Justice made the motion that the grade work and seeding (consisting of adequate topsoil, fabric cloth, and grass seed) be completed no later than September 15, 2001. Commissioner Layne seconded the motion. The motion carried 4 - 0.

6. Cost-of-Living Increase: Commissioner Combs reported that he had reviewed the past three year's cost-of-living wage increases granted to city employees consisting of 2%; 3%; and 5%, respectively. He voiced his opinion that the previous year's increase was exorbitant, as hourly employees received a 5% increase and department heads received a 10% increase. He pointed out the increases were much higher than the cost-of-living. Commissioner Combs asked for exact figures for the cost-of-living in Kentucky. Further discussion was delayed until the end of the meeting.

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~~Commissioner Justice made the motion to adjourn to closed session for the purpose of discussing a~~
property acquisition matter relating to the location of the proposed parking structure and a
personnel matter with the Chief of Police. Commissioner Layne seconded the motion. The motion
carried 4 - 0.

Commissioner Justice made the motion, seconded by Commissioner Combs to reconvene to regular
session. The motion carried 3 - 0 (Commissioner Davis not present at the time of the vote).

Commissioner Justice made the motion to grant a 2% cost-of-living increase to all hourly employees,
with salaried employees to remain at their current wage rate. Commissioner Combs seconded the
motion. The motion carried 3 - 0 (Commissioner Davis not present at the time of the vote).

Commissioner Combs made the motion to authorize additional overtime for the Police Department.
Commissioner Justice seconded the motion. The motion carried 4 - 0.

Commissioner Justice made the motion to authorize the City Manager to make an offer to purchase
the Trimble Heirs property, adjacent to Huffman Ave/College St, pursuant to the 1999 appraisal,
and to obtain a second appraisal of the York Heirs property. Commissioner Layne seconded the
motion. The motion carried 3 - 0 - 1 with Commissioner Davis abstaining from the vote.

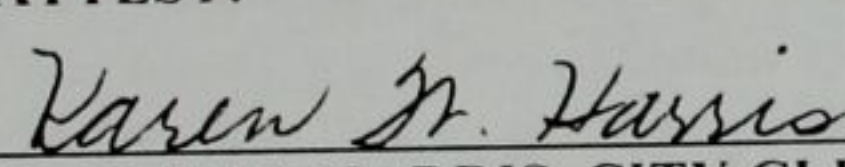
There being no further business to come before the Commission, Commissioner Combs made the
motion, seconded by Commissioner Justice to adjourn the meeting. The motion carried 4 - 0.
(Adjournment Time: 4:15 p.m.)

APPROVED:


FRANK M. MORRIS, MAYOR

MAYOR PRO TEM

ATTEST:


KAREN W. HARRIS, CITY CLERK