

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JULY 23, 2001

The Board of Commissioners of the City of Pikeville met in regular session on Monday, July 23, 2001. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Pro-Tem Steven D. Combs, called the meeting to order at 6:50 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	STEVEN D. COMBS
	EUGENE W. DAVIS
	FRANK JUSTICE, II
	DALLAS LAYNE

Mayor Frank M. Morris was absent.

AGENDA ITEM II.

BUSINESS FROM THE FLOOR

A. Golf Carts: Bowles Addition resident David Stratton appeared before the Commission to complain about the use of golf carts on various city streets by six to eight year old children. Mr. Stratton advised the misuse of golf carts are causing damage to private and public property. According to Mr. Stratton the children are operating the golf carts at night and he is concerned for their safety, as well as the safety of vehicular operators. Mr. Stratton told the Commission that the City Police had recommended he appear before the Commission to request adoption of an ordinance to ban the operation of golf carts on public ways. It was also suggested a penalty be assessed for the illegal operation, such as confiscation of the golf carts for at least three months. State law requires a vehicle must be licensed before it can be operated on a public street. Consequently, a golf cart would have to be equipped with such accessories as lights and signals, and it would be necessary for the operator to possess an operator's license. Commissioner Justice suggested the Police Department enforce the existing state law.

B. Childers Wrecker Service: Ken Childers, owner of Childers Wrecker Service, requested the Commission consider adding his wrecker service to the Police Department's rotation list. Mr. Childers advised the Commission that his business is located within the city limits. City Attorney Davis explained to the Commission that a number of problems had been encountered as a result of trying to include all wrecker services on the rotation list. He reported that a small rotation list keeps the service at a premium. Mr. Childers advised the rotation list is down to two services since the death of the owner of Branham's Wrecker Service. City Attorney Davis pointed out that vehicle owners have the right to contact any wrecker service they choose. Police Chief Justice reported there has been no problems due to having only two services on the rotation list and recommended the list be kept as is.

C. Marion's Branch Road: City Manager Blackburn reported that he had spoken with Marion's Branch resident, Lavonne Thacker, concerning her request this roadway be paved. As explained during a previous meeting, Marion's Branch Road is the only coal haul road located within the city limits. The city receives coal severance funds and a requirement for receipt of the money is that 30% of the funds must be spent on coal haul roads. The City Manager reported that 30% of the coal severance funds the city receives amounts to \$75,000, which will pave about 3/10ths of a mile. The City Manager advised that he and Ms. Thacker have agreed to begin at the bridge and pave forward 3/10ths of a mile. Commissioner Justice made the motion, seconded by Commissioner Layne to authorize paving 3/10ths of a mile on Marion's Branch Road, beginning at the bridge. The motion carried 4 - 0. City Manager Blackburn advised that paving will not begin until early fall.

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D. Mountain Crusade for Christ: General Chairman for the Mountain Crusade for Christ, Billy Joe Justice, explained that he had requested permission to use Hambley Field during August 26-29, 2001 for an interdenominational crusade. Mr. Justice advised the Commission that he had failed to ask for permission to build an 18 X 30 stage on the field and to bring in risers for the choir. The City Manager reported that he and Park Director Justice had discussed the request and see no problem with the location of the stage on the field. In the event of rain, the crusade will be moved to the high school gym. Commissioner Davis expressed his concern for damage to the field should a heavy rain occur earlier in the day. Commissioner Davis made the motion to allow the Mountain Crusade for Christ to locate a stage on the field and to authorize the Park Director to make the final decision of whether to allow the stage on the field in the event of rain. Commissioner Justice seconded the motion. The motion carried 4 - 0. Mr. Justice advised the Commission that the crusade directors would contract with a professional lawn care service in the event the stage causes any damage to the field.

AGENDA ITEM III.

PAYMENT OF BILLS

A. City Bills: A list of City Bills totaling \$391,360.63 was presented to the Commission for approval of payment. City Manager Blackburn requested approval to pay an additional bill in the amount of \$1,200.00 to Dixon Nunnery for two appraisals. City Engineer Sykes requested a reduction in payment to Aaron Contractors from \$31,500.00 to \$28,200.00 for the Bob Amos Park water storage tank maintenance project. Commissioner Combs made the motion, seconded by Commissioner Layne to approve payment of the City Bills as requested including the changes requested by the City Manager and City Engineer. The motion carried 3 - 0 - 1 with Commissioner Justice abstaining from the vote.

B. Track & Field Building: The Commission reviewed a letter sent to City Manager Blackburn from John Rasnick with regard to the construction of the track and field building located in Bob Amos Park. During a previous meeting, the City Commission authorized the expenditure of \$20,000 toward the construction of the building, with the remainder of the costs to be provided by volunteers and through donations. While the building was under construction, those overseeing the project decided to install additional windows, improve the stair access to the second floor, and to improve the roof design to make it more conducive to the existing structures. Mr. Rasnick requested the Commission approve an additional \$5,000 for the project, to be paid to Commonwealth Builders to offset their additional labor costs. Commissioner Combs made the motion, seconded by Commissioner Layne to approve payment to Commonwealth Building in the amount of \$5,000. The motion carried 4 - 0.

AGENDA ITEM IV.

OLD BUSINESS

A. Main Street Program Report: Main Street Board Chairman, Jerry Smith, reported that Mountain Enterprises is on schedule with the first phase of the utility relocation project. The contractor began installing conduit on this date.

Mr. Smith recommended the Commission authorize the Mayor Pro-Tem to execute the Direct Appropriation Grant Agreement, administered through Renaissance KY, in the amount of \$150,000. It was explained the funds will be used toward the construction of the Kentucky Avenue Townhouses, in conjunction with the Pikeville Redevelopment Project. Commissioner Combs made the motion, seconded by Commissioner Justice to authorize the Mayor Pro-Tem to execute the Direct Appropriation Grant Agreement. The motion carried 4 - 0.

Presented for approval of payment was an invoice from Summit Engineering in the amount of \$2,479.79 for engineering services in conjunction with the Phase I Utility Relocation project. Main Street Chairman Smith reported the bill has been reviewed and approved by the Main Street Board

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and he recommended the Commission authorize payment. Commissioner Justice made the motion, seconded by Commissioner Davis to approve payment to Summit Engineering as recommended. The motion carried 4 - 0.

Mr. Smith advised the Main Street Board had reviewed the submittals received in answer to their advertisement for requests for qualifications for engineering services for Phase II of the utility relocation project. The Board recommended that Summit Engineering be designated as engineer for this phase of the project. Commissioner Justice made the motion, seconded by Commissioner Davis to award a contract for engineering services for the utility relocation project - Phase II, to Summit Engineering as recommended by the Main Street Board. The motion carried 4 - 0.

B. City Engineer's Reports: Charles Byers was present on behalf of Summit Engineering, city engineers, to brief the Commission on the following projects:

1. Elm Street Road Improvement Project: Presented was change order #3 for approval in the amount of \$12,948.87. Mr. Byers explained the majority of the changes were cosmetic in nature with benefits to residence halls and the president of Pikeville College's home. The college will be responsible for any fees above \$500,000. The current contract amount is \$535,650.03. The original contract time was 90 days, however time extensions have been granted through change orders to a total of 107 days. Commissioner Davis made the motion, seconded by Commissioner Layne to approve the change order as presented. The motion carried 4 - 0.

2. River Bed Sedimentation Removal: Mr. Byers distributed a cost estimate for the construction of a sedimentation structure and pond cleanout for the Commission's review. Discussion was postponed to a future meeting.

3. Coal Hollow: City Engineer Sykes advised the Commission that David Adams is in the process of constructing a new office building at the mouth of Coal Hollow. Mr. Adams has requested a work session with the Commission to discuss parking on the right-of-way, improvements to the access road, and assistance with funding. It was noted that Mr. Adams is out of town until July 26th. The Commission scheduled a July 25th Special Meeting, but had no further plans to meet until the next regular meeting.

C. City Attorney's Reports: Russell H. Davis, Jr., City Attorney, presented the following items for the Commission's consideration:

1. Street Re-naming: Presented and given second reading was an ordinance entitled:

ORDINANCE CHANGING THE NAME OF CARNATION STREET TO HOLLYHOCK ALLEY
(O-2001-017)

Commissioner Davis made the motion, seconded by Commissioner Layne to adopt the Ordinance as presented and given second reading. The motion carried by the following votes:

MAYOR:	FRANK M. MORRIS	ABSENT
COMMISSIONER:	STEVEN D. COMBS	YES
	EUGENE W. DAVIS	YES
	FRANK JUSTICE, II	NOT PRESENT AT TIME OF VOTE
	DALLAS LAYNE	YES

2. Pikeville College Allotment: Second reading was given to an ordinance captioned as follows:

ORDINANCE PROVIDING A GRANT TO PIKEVILLE COLLEGE FOR THE CONTINUED

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SUPPORT OF AN OSTEOPATHIC MEDICAL SCHOOL IN THE CITY OF PIKEVILLE AND SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE GRANT SHALL BE MADE (O-2001-018)

Commissioner Combs made the motion, seconded by Commissioner Layne to adopt the ordinance as presented and given second reading. The motion carried by the following votes:

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

3. 2000-01 Budget Amendments: First reading was given to an Ordinance entitled:

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

City Attorney Davis reported the amendments are merely housekeeping matters to reflect changes in expenditures and revenues.

Second reading was scheduled for the next regular meeting.

4. Marion's Branch Road: An ordinance was presented to the Commission and given reading entitled as follows:

ORDINANCE SETTING SPEED LIMIT ON MARION BRANCH ROAD WITHIN THE CITY OF PIKEVILLE AT 25 M.P.H. AND DECLARING AN EMERGENCY IN REGARD TO ADOPTION THEREOF (ORDINANCE NO. O-2001-019)

Commissioner Combs made the motion to declare an emergency, said emergency is a current traffic speed problem which needs to immediately be addressed, and adopt the ordinance as presented and read. Commissioner Layne seconded the motion. The motion carried by the following votes:

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

5. Pine Ridge Subdivision Annexation: The City Attorney reported the city received no petitions against the city's intention to annex the Pine Ridge Subdivision into the city limits. He explained the city is now free to adopt an ordinance to finally annex the subdivision. First reading was given to an ordinance captioned as follows:

ORDINANCE FINALLY ANNEXING TO THE CITY OF PIKEVILLE THE TERRITORY ADJACENT TO CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 108 ACRES, EXTENDING THE CITY'S CORPORATE LIMITS ON THE NORTHWEST OF THE EXISTING CORPORATE LIMITS

Second reading of the ordinance was scheduled for the next regular meeting.

6. North Mayo Trail Annexation: Dr. O.W. Thompson and Joe Ramsey appeared before the Commission to request their properties, specifically the Walters Toyota Building and the Linton Building, be excluded from the city limits. City Attorney Davis explained the request stems from a

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1990 annexation of properties along U.S. 23 North, and ending at the entrance to Stone Coal

Thompson and Ramsey filed a lawsuit contending the annexation to be void because the city failed to recognize the negative vote cast by the only resident of the annexation area. The city contended the resident's vote was invalid because he was not a resident of the area at the time annexation was proposed. City Attorney Davis reported the Court of Appeals responded favorably to the city's argument and referred the matter back to the Circuit Court. Commissioner Justice stated that he was in favor of granting Thompson & Ramsey's request, as the city has no future plans to extend utilities to serve their properties. Additionally, Dr. Thompson nor Mr. Ramsey requested their property's inclusion within the city limits. Commissioner Justice made the motion to settle the annexation lawsuit against the City of Pikeville by agreeing to allow the court to delete the Walters Toyota Building and the Linton Building from the corporate limits. Commissioner Combs seconded the motion. The motion carried 3 - 0 - 1 with Commissioner Davis abstaining from the vote. City Attorney Davis advised that occupational fees would be assessed through the end of the third quarter. Property taxes will be due and payable for the 2001 tax year, as property taxes are assessed on an annual basis.

7. Asphalt and Stone Bids: City Manager Blackburn explained that no bids were received for the annual supply of asphalt. Mountain Enterprises has submitted a proposal to supply asphalt to the city for the same rate as bid in June, 2000. The City Attorney advised the city could accept this proposal since no bids were submitted. Commissioner Combs made the motion, seconded by Commissioner Justice to authorize acceptance of a proposal from Mountain Enterprises to provide the city's annual supply of asphalt at the year 2000's prices. The motion carried 4 - 0.

The City Manager reported that MRC submitted the only bid for the annual supply of stone. City Manager Blackburn told the Commission that MRC's bid is about \$4.00 a ton higher and they assess an additional fee of \$35.00 for delivery. Mountain Enterprises sent a letter advising they would provide the stone at the same rate as charged during 2000. City Attorney Davis advised the Commission if they thought MRC's bid price too high, they could reject the bids and re-advertise. Commissioner Combs made the motion to reject all bids received for the purchase of stone and re-advertise for bids. Commissioner Davis seconded the motion. The motion carried 4 - 0.

8. Park Board: As explained during a previous meeting, the City Manager reported the Park Board has not met in over 1 1/2 years. Commissioner Combs made the motion to authorize the City Attorney to prepare an ordinance to dissolve the Park Board. Commissioner Justice seconded the motion. The motion carried 3 - 1 with Commissioner Davis voting nay. Commissioner Davis explained that he would prefer to retain the Park Board as an advisory board.

D. Pikeville Redevelopment Project: Will Linder of Linder & Associates presented a written status report for the Pikeville Redevelopment Project and asked for the Commission's approval of the following items:

1. Relocation Expenses - Phases I, II, & III: Presented for approval was a list of tenant relocation expenses for Phase I (Sycamore Street); Phase II (Kentucky Avenue) and Phase III (High Street). Total expenses to date for Phase I is \$17,858; Phase II \$68,860.85; and Phase III \$5,300. Commissioner Combs made the motion, seconded by Commissioner Davis to approve the relocation expenses as presented. The motion carried 4 - 0.

2. Summit Engineering: Presented for approval was an invoice from Summit Engineering, Inc. in the amount of \$11,304.60 for engineering services for Phase IV - Kentucky Avenue. Commissioner Justice made the motion to approve payment as requested. Commissioner Davis seconded the motion. The motion carried 4 - 0.

3. Summit Engineering: Summit Engineering, Inc. presented a pay estimate for approval for engineering services for Phase V - High Street, totaling \$6,457.44. Commissioner Justice made the motion, seconded by Commissioner Layne to approve payment of the invoice as presented. The

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motion carried 4 - 0.

4. Walters & Associates: Presented for approval of payment was an invoice from Walters & Associates, Inc. totaling \$475.00 for appraisals completed on Elwood & Dorothy Charles' Smith Street/Poplar Street Lot #4; and the Carolyn Roberts estate located at 248 Kentucky Avenue. Commissioner Davis made the motion, seconded by Commissioner Layne to approve payment of the \$475.00 invoice to Walters & Associates, Inc. The motion carried 4 - 0.

5. Frank Nall: The Commission reviewed invoices totaling \$250.00 from Frank Nall for preparation of deed and closing on the Landmark Development property and for title search on the Tome Huffman property. Commissioner Layne made the motion, seconded by Commissioner Justice to approve payment of \$250.00 to Frank Nall. The motion carried 4 - 0.

6. Asbestos Testing Services: Presented for approval was the following resolution to amend the Micro-Analytics, Inc. contract to provide for asbestos testing for an additional 8 buildings in the Phase I - Sycamore Street area:

AMENDMENT #1 TO AGREEMENT FOR ASBESTOS TESTING SERVICES PIKEVILLE, KENTUCKY (R-2001-034)

This amendment is an attachment to the agreement entered into on the 28th day of August, 2000, by and between the City of Pikeville and Micro-Analytics, Inc. for asbestos testing services for the Pikeville Redevelopment Project, Phase I - Sycamore Street.

WHEREAS, the agreement entered into on the 28th day of August, 2000, specified a maximum contract amount of \$6,394 for up to 10 buildings or 23 units for a unit cost of \$278; and

WHEREAS, the City of Pikeville requires asbestos testing services for an additional 8 buildings containing 15 units for the Pikeville Redevelopment Project Phase I - Sycamore Street Project.

NOW, THEREFORE, the City of Pikeville and Micro-Analytics, Inc amend the original agreement as follows:

1. The City of Pikeville will amend the contract for asbestos testing services to include 8 additional buildings containing 15 units.
2. The cost for these additional asbestos testing services shall be \$278/each per unit.
3. The maximum contract amount shall increase by \$4,170.
4. The time of performance will extend through September 1, 2001.
5. The maximum contract shall not exceed \$10,564.

IN WITNESS WHEREOF, the City of Pikeville and Micro-Analytics, Inc. have executed this Amendment to the original August 28th, 2000 Agreement. This amendment is effective as of the date of the original agreement.

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

7. Phase II Just Compensation Amendment: Mr. Linder advised that the property owned by Blake Robinson and the property owned by Big Sandy Habitat for Humanity has been re-appraised pursuant to the deeds of correction. He requested approval of the following resolution to establish just compensation for these properties:

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

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(R-2001-031)

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

WHEREAS, in accordance with the Uniform Acquisition 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 the City determines the just compensation to be offered to each property owner; and,

WHEREAS, after just compensation was established and an offer to purchase was made, the owner presented a deed of correction to the city; and

WHEREAS, the appraiser and review appraiser amended their original appraisal to reflect the property described in the deed of correction and revised survey and title.

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

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

<u>Parcel #</u>	<u>Building</u>	<u>Address</u>	<u>Amount</u>
08	lot#2	Kentucky Avenue	\$ 8,000
09	lot#3	Kentucky Avenue	\$16,200

2. 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 drawdown 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.

Commissioner Combs made the motion to adopt the resolution. Commissioner Davis seconded the motion. The motion carried 4 - 0.

8. Phase II & Phase IV Just Compensation: Mr. Linder advised the Commission that Summit Engineering has identified two additional properties that need to be acquired to proceed with the Kentucky Avenue Road Improvements. The Charles' property is vacant land. The Roberts' estate property has a building, but no one lives in the building. Mr. Linder advised the Commission the city will have to pay the purchase cost for the Roberts' estate property out of general fund revenues, then wait to be reimbursed when Phase IV funds are released. Two resolutions were presented as follows:

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-2001-032)

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

WHEREAS, in accordance with the Uniform Acquisition 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 HOME - Phase II Target Area are hereby approved in the following amounts:

<u>Parcel #</u>	<u>Building</u>	<u>Address</u>	<u>Amount</u>
24	lot #4	Poplar & Smith Streets	\$19,500 (Elwood & Dorothy Charles)

2. Pending concurrence 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 drawdown 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.

and

ORDER OF THE PIKEVILLE CITY COMMISSION APPROVING THE DETERMINATION OF JUST COMPENSATION FOR ACQUISITION OF PROPERTY IN THE PIKEVILLE REDEVELOPMENT PHASE IV - KENTUCKY AVENUE TARGET ARE OF PIKEVILLE, KY (R-2001-033)

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

WHEREAS, the property listed below is directly adjacent to Phase II - Kentucky Avenue project and needs to be acquired before release of Kentucky HOME Investment Partnership Program funds can be obtained for Phase IV activities in order to allow for the Kentucky Avenue Road Construction project; and

WHEREAS, the environmental assessment has been amended to include all phase IV activities; and

WHEREAS, the City Commission undertakes this acquisition at the City's risk to be reimbursed from HOME Investment Partnership Program funds once funds are released; and

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WHEREAS, in accordance with the Uniform Acquisition 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 HOME - Phase II Target Area are hereby approved in the following amounts:

<u>Parcel #</u>	<u>Building</u>	<u>Address</u>	<u>Amount</u>
01	lot#55	248 Kentucky Avenue	\$45,800 (Carolyn Roberts estate)

2. Pending concurrence from an independent review appraiser, the Grants Coordinator is directed to make Offers for Purchase on properties in the Pikeville Redevelopment Project - Phase IV - 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. The City Commission authorizes purchasing this parcel at the city's risk.

4. Once funding is released from Kentucky Housing Corporation for Phase IV - Kentucky Avenue Project - the drawdown 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 to reimburse the city for this expense.

5. 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.

Commissioner Combs made the motion to adopt both resolutions as presented and read. Commissioner Layne seconded the motion. The motion carried 4 - 0.

9. Huffman Property Purchase: Mrs TomE Huffman has agreed to accept the city's offer to purchase her Sycamore Street property for the established appraised value of \$48,200. Commissioner Davis made the motion, seconded by Commissioner Justice to authorize the purchase of the TomE Huffman property located on Sycamore Street in the amount of \$48,200. The motion carried 4 - 0.

10. Property Acquisition: Mr. Linder requested a closed session for the purpose of discussing the acquisition of five properties on Kentucky Avenue. Commissioner Combs made the motion to adjourn to closed session for the purpose of discussing the acquisition of five properties. Commissioner Layne seconded the motion. The motion carried 4 - 0.

Commissioner Combs made the motion, seconded by Commissioner Layne to reconvene to regular session. The motion carried 4 - 0.

The city has advertised for requests for proposals for asbestos abatement and demolition for the Phase I Sycamore Street properties and Alpha Contracting was the low bidder. Mr. Linder requested the Mayor Pro Tem be authorized to execute a contract amendment to abate asbestos and demolish the remaining acquired structures, to allow the demolition to proceed on schedule. Commissioner Combs made the motion to authorize execution of the contract amendment as requested. Commissioner Justice seconded the motion. The motion carried 4 - 0.

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Commissioner Layne made the motion to authorize the purchase of the James Rowe property in the amount of \$59,000; a vacant lot owned by Robert Pinson in the amount of \$45,000; the Big Sandy Habitat for Humanity tract in the amount of \$8,000; and the Blake Robinson property for the amount of \$20,000. Commissioner Justice seconded the motion. During discussion, the Commission pointed out that three of the four properties are being purchased for an amount in excess of the fair market value, however these negotiations were deemed necessary to allow the project to proceed on a timely basis. It was further noted the aforementioned negotiations will set no precedent for future property acquisitions by the city, and the deeds will reflect the reason for paying above market rates. The motion carried 4 - 0.

Commissioner Combs made the motion to adjourn to closed session for the purpose of discussing two property matters with reference to the proposed parking structure's location and construction and possible relocation of the Island Creek fire station to the south end of the city limits. Commissioner Justice seconded the motion. The motion carried 4 - 0.

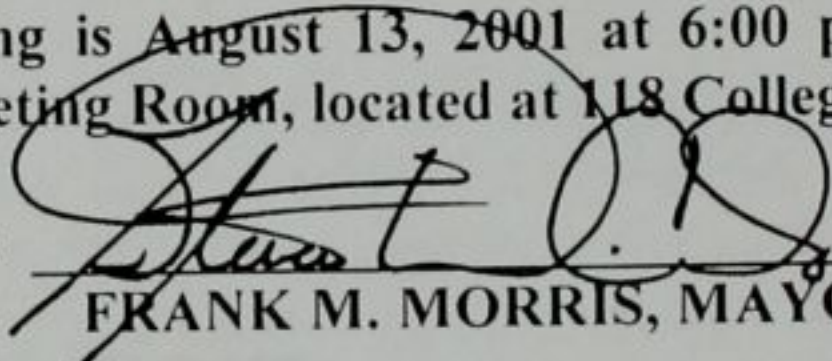
Commissioner Justice made the motion, seconded by Commissioner Davis to reconvene to regular session. The motion carried 4 - 0.

Commissioner Combs made the motion to authorize the City Manager to extend an offer to purchase to the York Family heirs for their property, adjoining city property and fronting College Street, in accordance with the appraisal prepared by Dixon Nunnery. 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 Justice made the motion, seconded by Commissioner Combs to adjourn the meeting. The motion carried 4 - 0.

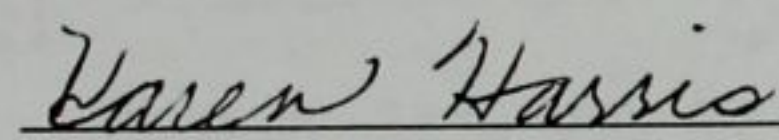
The City Commission's next scheduled meeting is August 13, 2001 at 6:00 p.m. The meeting is scheduled to be held in the City Hall Public Meeting Room, located at 118 College Street.

APPROVED:


FRANK M. MORRIS, MAYOR

MAYOR PRO TEM

ATTEST:


KAREN HARRIS, CITY CLERK