

# MINUTES } CITY OF PIKEVILLE

## CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES AUGUST 13, 2001

The Board of Commissioners of the City of Pikeville met in regular session on Monday, August 13, 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 6:11 p.m. Commission Members present at roll call were as follows:

COMMISSIONER: STEVEN D. COMBS  
EUGENE W. DAVIS  
FRANK JUSTICE, JR.

Mayor Frank M. Morris and Commissioner Dallas Layne were absent.

### AGENDA ITEM II. MINUTES

The minutes for the meetings of July 13, 23, and 25, 2001 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 submitted. The motion carried 3 - 0.

### AGENDA ITEM III. BUSINESS FROM THE FLOOR

A. COAL HOLLOW: David Adams, II, representing Adams' Real Estate, Inc., presented a request to the Commission for the improvement of the access to Coal Hollow. Mr. Adams explained there are three accesses into Coal Hollow. His company is proposing to eliminate two of the accesses and realign the remaining access with Lorraine Street. Mr. Adams believes the street improvements will reduce traffic hazards in this congested intersection. City Engineer Sykes explained the major items of work include:

1. re-stripe Bypass Road to provide an eastbound right turn lane to Coal Hollow and a westbound left turn lane to Coal Hollow (required by Dept. of Transportation);
2. widen Coal Hollow Road entrance to provide 12 ft. lanes and 50 ft. curb radii;
3. adjust storm grates, valve boxes and manhole lids to finish grade;
4. Construct two new curb inlets and connect to existing storm sewer;
5. replace top phase on existing storm inlet or adjust existing to grade;
6. remove trees along Bypass Road to facilitate construction;
7. remove existing entrance apron on Bypass Road

The estimated cost of the improvements is \$76,000, which includes a 30% contingency.

Adams Real Estate, Inc. is in the process of constructing an office building at Coal Hollow, and believes the new jobs will add about \$10,000 per year to the city's occupational tax collections. Mr. Adams told the Commission that if the City would agree to participate in the proposed road improvements, that Adams Real Estate, Inc. will provide the labor and materials to complete items 2 and 6. Mr. Sykes told the Commission these two items will delete about \$28,000 from the project cost. Commissioner Combs asked Mr. Sykes and Mr. Adams to consider raising the medians at Lorraine/Hambley to provide added traffic safety measures.

The Commission directed the City Manager to meet with representatives from Adams Real Estate, Inc. and U.S. Filter to determine what portions of the work each can provide and to schedule a special meeting to make recommendations.



# MINUTES } CITY OF PIKEVILLE

**B. PROPERTY ACQUISITION:** At 6:35 p.m., Commissioner Davis made the motion, seconded by Commissioner Justice to adjourn to a closed session for the purpose of discussing a property acquisition matter with a representative of Community Trust Bank. The motion carried 3 - 0.

At 6:55 p.m., Commissioner Combs made the motion to reconvene to regular session. Commissioner Davis seconded the motion. The motion carried 3 - 0.

Commissioner Justice made the motion to authorize the purchase of the WLSI property for the amount of \$365,000; to purchase the leasehold in the amount of \$40,000; and to agree to allow Community Trust personnel to continue to park on the property as long as the use does not interfere with any activities at the Hambley Complex. Commissioner Combs seconded the motion. The motion carried 3 - 0.

Because the Board of Commissioners desire to expand and improve Hambley Complex to provide for additional parking and the redesigning of the baseball and football fields, it is necessary to acquire the property located behind the WLSI property. Commissioner Combs made the motion to authorize the City Manager to negotiate the acquisition of said property or explore the need for condemnation. Commissioner Justice seconded the motion. The motion carried 3 - 0.

Commissioner Combs made the motion to authorize the City Engineer to prepare a conceptual plan for parking and improvements for Hambley Complex. Commissioner Justice seconded the motion. The motion carried 3 - 0.

Community Trust Bank representative, Blake Robinson, advised the Commission that CTB would make available to the City the core drillings of the WLSI property.

Commissioner Combs commended U.S. Filter on their efforts to extend and complete the sidewalk to the Pikeville High School prior to the Pike County Bowl.

## AGENDA ITEM IV.

## OLD BUSINESS

**A. CITY ENGINEER'S REPORTS:** Charles Byers, representing Summit Engineering, Inc., City Engineers, presented a verbal status report for the following projects:

1. Elm Street Improvement Project: Presented for approval was pay request #4 on behalf of Mountain Enterprises in the amount of \$109,007.18. Commissioner Combs made the motion, seconded by Commissioner Justice to approve payment as requested. The motion carried 3 - 0.

Change Order #4 totaling \$6,822.42 was presented on behalf of Mountain Enterprises for approval in conjunction to the Elm Street Improvement Project. Mr. Byers explained the majority of the items are aesthetic improvements to Pikeville College property. As agreed prior to commencement of the project, Pikeville College is responsible for any costs in excess of \$500,000. The total contract cost is now at \$542,472.45. The original contract time was 100 days. Through change orders, the contract time has been increased by 45 days. Commissioner Combs made the motion, seconded by Commissioner Davis to approve change order #4 totaling \$6,822.42. The motion carried 3 - 0.

2. Kentucky Avenue Road Improvement Project: This project, which also includes demolition of structures acquired in Phase II, has been advertised for bid. Bids are due on August 23, 2001.

3. Phase I Utility Relocation Project: Mr. Byers advised the contractor, Mountain Enterprises, is actually ahead of schedule. Some changes have been incurred as the project has progressed in that utility lines were found that weren't mapped or not in the mapped locations. The project has a contingency budget of \$100,000. So far, an extra manhole had to be installed, along



# MINUTES } CITY OF PIKEVILLE

with a greater quantity of 2 inch gas line. Mr. Byers asked that the City Manager be given the authority to approve the necessary changes as the need arises so the project can proceed on schedule. The items will then be presented to the Commission in change order form on a monthly basis. Commissioner Combs made the motion, seconded by Commissioner Justice to authorize the City Manager to approve the necessary changes as needed. The motion carried 3 - 0.

4. Phase II - Utility Relocation Project: Jack Sykes reported that Summit Engineering, Inc. had been designated as the engineer, for the second phase of the utility relocation project, during the July 23, 2001 City Commission Meeting. Presented for approval was the standard contract agreement to provide the design and inspection services for this phase. Mr. Sykes explained the engineering fees are based on the construction amounts (estimated at \$3 million for this phase). Rural Development has established the standard fee at 6% for design and 3% for inspection. Commissioner Davis made the motion, seconded by Commissioner Justice to authorize the Mayor Pro Tem to execute the contract as presented. The motion carried 3 - 0.

5. Parking Structure: Mr. Sykes presented a contract on behalf of Summit Engineering to provide design services and construction administration for the proposed parking structure project. Mr. Sykes explained the design fees will be assessed at the rate of 7% of the estimated cost of construction and a \$30,000 fee for full-time inspection services. He added these fees are less than those stated in the grant application. Commissioner Justice made the motion, seconded by Commissioner Davis to authorize the Mayor Pro Tem to execute the contract as presented. The motion carried 3 - 0.

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

1. Budget Amendments: Presented and given second reading was an Ordinance entitled:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2000-2001 FISCAL YEAR (O-2001-020)

Commissioner Combs made the motion, seconded by Commissioner Justice to adopt the Ordinance as presented and read. 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	ABSENT

2. Pine Ridge Subdivision: Presented and given second reading was an Ordinance entitled:

ORDINANCE FINALLY ANNEXING TO THE CITY OF PIKEVILLE UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 108 ACRES, EXTENDING THE CITY'S CORPORATE LIMITS ON THE NORTH WEST OF THE EXISTING CORPORATE LIMITS (O-2001-021)

Commissioner Combs made the motion to adopt the Ordinance as presented and given second reading. Commissioner Justice seconded the motion. The motion carried with the following votes:

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



# MINUTES } CITY OF PIKEVILLE

DALLAS LAYNE

ABSENT

3. Property Tax Rate: Presented and given first reading was an ordinance to establish the property tax rate for the 2001-2002 fiscal year. The city attorney explained the rate - \$0.175 per \$100.00 of assessed valuation - is the same rate it has been for previous years. Because the city gets its assessment from the county, the due dates are not yet known. This information will be presented prior to second reading of the ordinance.

4. Park Board: First reading was given to an ordinance entitled:

## ORDINANCE DISSOLVING THE PARK BOARD

Second reading was scheduled for the next regular meeting.

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

1. Stone Supply: As directed at the previous meeting, the annual stone supply was re-advertised for bids. One bid was received. The bidder was Mountain Enterprises at \$8.95/ton for pick up at the Shelby Plant and \$9.50/ton delivered. The City Manager reported the bid is the same price as last year's bid. Commissioner Combs made the motion, seconded by Commissioner Justice to award the bid for the annual stone supply to Mountain Enterprises, Inc. The motion carried 3 - 0.

2. Proposed Sewer Line Extensions: City Manager Blackburn advised the Commission that grant funds are now available through the PRIDE Program for sewer line extensions. Proposed projects include an extension to serve 49 businesses and homes in the South Mayo area; 85 homes and businesses in the Island Creek area; 6 homes on Sunset Lane; and a fourth extension to begin at the mouth of Keyser Heights and extending north to the mouth of Buckley's Creek. Commissioner Combs made the motion to authorize the submittal of 4 separate applications to PRIDE for the proposed sewer line extension construction. Commissioner Justice seconded the motion. The motion carried 3 - 0.

At 7:35 p.m., Commissioner Combs made the motion, seconded by Commissioner Justice to adjourn to closed session for the purpose of discussing property acquisition matters and a personnel matter with the Police Chief. The motion carried 3 - 0.

At 8:40 p.m., Commissioner Justice made the motion, seconded by Commissioner Combs to reconvene to regular session. The motion carried 3 - 0.

Commissioner Combs made the motion to authorize the City Manager to negotiate with the Trimble Heirs in an attempt to acquire their property located adjacent to Huffman Avenue, based upon the November 1999 appraisal, and to further empower the City Manager and City Attorney to proceed with condemnation if the offer is not accepted. Commissioner Justice seconded the motion. During discussion, it was noted the city is attempting to acquire the property to construct a public parking garage. City Attorney Davis reported he has a conflict of interest in this matter. He advised that Herman Lester has agreed to represent the city in this matter. City Attorney Davis explained that, if condemnation becomes necessary, Mr. Lester should represent the city in the acquisition of both, the Trimble Heirs and York Heirs, property acquisitions. The motion carried 3 - 0.

Commissioner Combs made the motion to authorize the City Manager to extend an offer to purchase property owned by the York Heirs, based upon an amount disclosed during closed session, and to further empower the City Manager and City Attorney to institute condemnation proceedings if the offer is not accepted. Commissioner Justice seconded the motion. The motion carried 2 - 0 - 1 with Commissioner Davis abstaining from the vote.



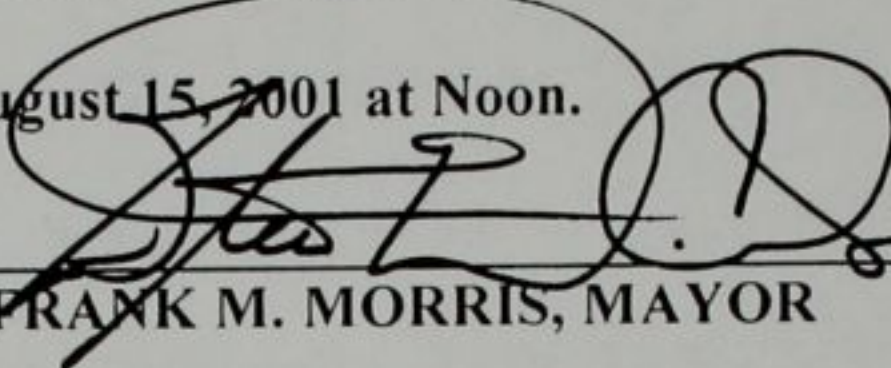
## MINUTES } CITY OF PIKEVILLE

Pursuant to discussion with the Police Chief, Commissioner Justice made the motion to allow all police officers residing in Pike County to take their vehicles home; to increase the clothing allowance for police officers and fire fighters to \$50.00 per month, to allow the police detectives to use the allowance to purchase the appropriate clothing; to hire a civilian employee to issue parking tickets; and to review the police chief's additional proposals. Commissioner Combs seconded the motion. The motion carried 3 - 0.

There being no further business to come before the Commission, Commissioner Combs made the motion, seconded by Commissioner Davis to adjourn the meeting. The motion carried 3 - 0.

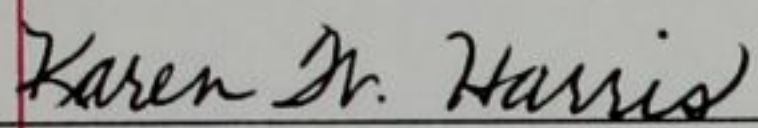
The Commission scheduled a special meeting for August 15, 2001 at Noon.

APPROVED:

  
FRANK M. MORRIS, MAYOR

MAYOR PRO TEM

ATTEST:

  
KAREN W. HARRIS, CITY CLERK