

MINUTES } CITY OF PIKEVILLE

CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 8, 2001

The Board of Commissioners of the City of Pikeville met in regular session on Monday, October 8, 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 Pro-Tem Steven D. Combs called the meeting to order at 6:10 p.m. Commission Members present at call of the roll were as follows:

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

Mayor Frank M. Morris was absent.

AGENDA ITEM II. MINUTES

The minutes from the September 24th regular meeting and September 27th special meeting were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Layne made the motion, seconded by Commissioner Combs to approve the minutes as prepared. The motion carried 4 - 0.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

Awards of Appreciation were presented to Commonwealth Building & Construction, Johnny Rasnick, and Mitch Potter. The individuals and companies were recognized for their substantial contributions of materials and labor for improvements and lighting at Bob Amos Park.

AGENDA ITEM IV. OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes and Charles Byers were present on behalf of Summit Engineering and presented a verbal report for the following projects:

1. Utility Relocation Project: The underground utility relocation project on Huffman Avenue and Main Street has reached 90% completion. Bell South has contracted with Starr Contracting for the installation of manholes. Starr Contracting was not proceeding in a timely manner. The engineer has spoken with Bell South officials and Starr Contracting. Weather permitting, the manholes should be installed within two weeks. Mr. Byers reported the entire project should be completed by the contract deadline, November 14th.

2. Kentucky Avenue Roadway Improvement Project: As of the October 4, 2001 progress meeting, Patriot Construction is proceeding on schedule with approximately 25% of the project complete. The retaining wall excavation is not complete. Mr. Byers reported there has been some redesign work of the retaining wall to ensure it is constructed on a solid foundation.

Mr. Sykes advised the Commission that he and the contractor for phase I of the townhouse construction, Goggins Construction, are requesting that the City purchase two properties in Phase IV of the redevelopment project at this time, to aid in construction of the retaining wall in phase II of the townhouse project and to prevent any liability during construction activities. The properties are owned by Landmark Development and Vianna Stanley. Estimated cost of acquisition, relocation, and clearance is \$154,000. The Commission was advised the purchase of the two properties could be

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reimbursed by the Kentucky HOME Investment Partnership Program once environmental clearance and release of funds is awarded. Mr. Sykes advised that he is expecting the release of funds within the next six months. Commissioner Layne made the motion, seconded by Commissioner Combs to proceed with acquisition of the two properties as requested. The motion carried 3 - 1 with Commissioner Justice casting a nay vote.

Project Director, Sue Smallwood, presented two invoices for approval of payment from Alpha Contracting Services, Inc. for demolition of structures (\$49,761.00) and asbestos abatement (\$4,731.00) in the Phase I - Sycamore Street area. The contractor has about three hours of site work to complete in the area behind the Myers Tower parking lot. Ms. Smallwood reported the contractor has advised he will be back in about a week and a half. Commissioner Layne made the motion to approve payment of the two invoices as presented. Commissioner Combs seconded the motion. The motion carried 4 - 0.

3. Parking Garage Project: Project Coordinator, Sue Smallwood, advised the Commission the city has been awarded a grant in the amount of \$858,108.00 from the Department of Housing and Urban Development for the parking garage project. Commissioner Combs made the motion to accept the grant. Commissioner Justice seconded the motion. The motion carried 4 - 0.

4. Water Improvement Project: City Engineer Sykes asked for approval of the following final documents to close out the water improvement project (raw water intake improvements, plant improvements, and water storage tank installation).

a. Change Order #6: Presented to the Commission on behalf of East Kentucky Water was change order #6 which provides for a time extension of 55 days. The change order does not provide for an increase or decrease to the contract amount. Mr. Sykes explained the time extension is necessary due to the amount of time it took to get a pump delivered. Commissioner Justice made the motion, seconded by Commissioner Davis to approve the change order as presented. The motion carried 4 - 0.

b. East Kentucky Water: Presented to the Commission for approval of payment was the final estimate from East Kentucky Water totaling \$145,595.75, which includes the retainage. Commissioner Justice made the motion, seconded by Commissioner Davis to approve payment to East Kentucky Water as requested. The motion carried 4 - 0.

c. Summit Engineering: Presented were two invoices on behalf of Summit Engineering:

(1) Administration Fees: Ms. Smallwood presented an invoice on behalf of Summit Engineering for Administration Fees in the amount of \$9,622.83. Ms. Smallwood explained the fees have been paid, however she is requesting approval of the total amount to provide a clear paper trail when the project is reviewed by the funding agencies. Commissioner Justice made the motion, seconded by Commissioner Davis to approve payment to Summit Engineering for administration of the water improvement project. The motion carried 4 - 0.

(2) Engineering Fees: Presented was the final payment for engineering and inspection services on behalf of Summit Engineering totaling \$5,553.07. Commissioner Justice made the motion, seconded by Commissioner Davis to approve final payment to Summit Engineering for the engineering and inspection services for the water improvement project. The motion carried 4 - 0.

d. Legal Fees: Presented on behalf of Russell H. Davis, Jr. was the final invoice totaling \$1,117.00 for legal fees associated with the water improvement project. Commissioner Justice made the motion, seconded by Commissioner Davis to approve payment as requested. The motion carried 4 - 0.

B. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., city attorney, presented the following

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Items for the Commission's consideration:

1. Animal Control: Mr. Davis presented a copy of Pike County's newly adopted ordinance, regarding the regulation of animals, for the Commission's review. Mr. Davis explained the county's ordinance is applicable in the city limits, however, he doesn't think the county is planning to enforce the regulations within the City of Pikeville, due mainly to lack of personnel. The City Attorney pointed out the provisions of the city's ordinances and the county's ordinance are very similar, with the exception that the county requires all animals to be licensed. The Commission will review the ordinance and determine if amendments to the city's animal control ordinance are necessary.

2. Zoning: City Attorney Davis gave first reading to an ordinance entitled as follows:

ORDINANCE AMENDING THE CITY OF PIKEVILLE'S ZONING MAP FOR THE PROPERTY LOCATED ON BOTH SIDES OF THE ENTIRE LENGTH OF KENTUCKY AVENUE FROM R-1A TO R-3

Included with the agenda package was a letter from Pikeville/Pike County/Elkhorn City Joint Planning Commission Secretary, Leon Huffman, advising of the board's approval of the request and recommending City Commission approval of the zoning map amendment.

The City Attorney advised the zoning change is in conjunction with the city's urban renewal project and the proposed construction of townhouse units on Kentucky Avenue.

The ordinance will be on file in the office of the City Clerk for public inspection. Second reading of the ordinance was scheduled for October 22, 2001.

3. Street Name: 911 Coordinator, Paul Maynard, sent a letter requesting the Commission name a previously unnamed street, connecting York Alley and Scott Avenue, just before Third Street, Primrose Lane. It was reported the name had been suggested by the property owner. First reading of an ordinance was given, captioned as follows:

ORDINANCE NAMING A PREVIOUSLY UNNAMED STREET CONNECTING YORK ALLEY AND SCOTT AVENUE

The ordinance will be on file in the office of the City Clerk for public inspection. Second reading was scheduled for October 22, 2001.

4. Resolution of Recognition: Commissioner Combs made the motion, seconded by Commissioner Layne to authorize the City Attorney to draft a resolution in honor of George C. Wells, community leader and businessman, who passed away on October 5, 2001. The motion carried 4 - 0.

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

1. Employment: During the previous meeting, the Commission authorized the employment of James Chafin as payroll/billing clerk. Mr. Blackburn advised that Mr. Chafin has accepted another job. Mr. Blackburn recommended the employment of Rebecca Hamilton in the position of payroll/billing clerk. Commissioner Justice made the motion to employ Rebecca Hamilton in the position of payroll/billing clerk. Commissioner Davis seconded the motion. The motion carried 4 - 0.

2. Fire Fighter Status: Fire Chief Hall requested approval to change the employment status of three fire fighters from part-time to full-time. As reported during the previous meeting, sufficient revenues are available to fund the change in employment status. A report detailing payroll costs, funding, and necessity was submitted for the Commission's review. Commissioner Justice made the

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~~motion, seconded by Commissioner Layne to approve Fire Chief Hall's request. The motion carried 3 - 0 (Commissioner Davis not present at the time of the vote).~~

3. Adams' Property Acquisition: The City Manager reported that Mr. Adams' appraiser has not completed the appraisal due to questions concerning the floodway and floodplain locations for the city's Thompson Road property. Mr. Blackburn advised the appraiser thinks the map depicting the floodway and floodplain is incorrect. The City Engineer will contact the appraiser to review his concerns.

4. Insurance: City Manager Blackburn advised the Commission that the city employs a few individuals who may be subject to recall to active military duty. He requested approval for the city to continue to provide the current level of insurance benefits at the city's expense for any employee recalled to active military duty. Commissioner Combs made the motion, seconded by Commissioner Layne to approve the City Manager's request. The motion carried 3 - 0 (Commissioner Davis not present at the time of the vote).

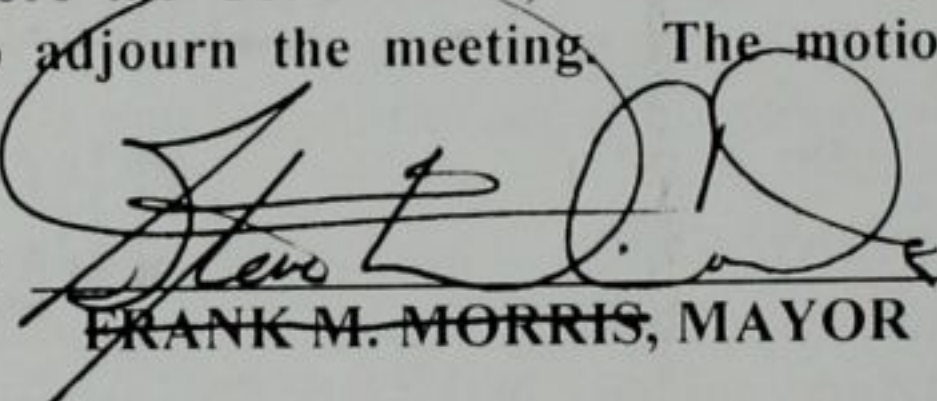
5. Drug-Sting Operation: Commissioner Combs made the motion, seconded by Commissioner Justice to commend police personnel involved in last week's drug-sting operation. The motion carried 4 - 0.

6. Marions Branch Road: City Manager Blackburn reported that paving activities are scheduled for October 12th and 13th.

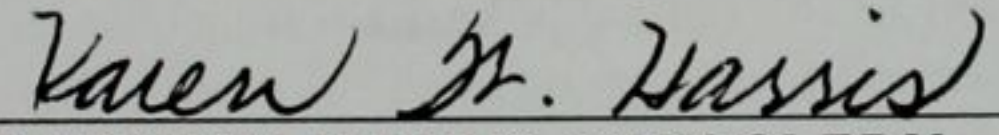
7. Tipping Fees: The City Manager reported that he had spoken with Pike County Solid Waste Director, Mike Lyons, concerning the tipping fees assessed for use of the landfill. Mr. Lyons has agreed to attend the next City Commission Meeting to explain the operations and fee assessments.

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn the meeting. The motion carried 4 - 0. (Adjournment Time: 7:04 p.m.)

APPROVED:


FRANK M. MORRIS, MAYOR PRO TEM

ATTEST:


KAREN W. HARRIS, CITY CLERK