

MINUTES } CITY OF PIKEVILLE

~~CITY OF PIKEVILLE~~ BOARD OF COMMISSIONERS REGULAR MEETING MINUTES JANUARY 14, 2002

The Board of Commissioners of the City of Pikeville met in a regular meeting on Monday, January 14, 2002. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Frank M. Morris presided and called the meeting to order at 6:15 p.m. Commission Members present at roll call were as follows:

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

AGENDA ITEM II. MINUTES

The minutes for the previous special meeting of December 20, 2001 were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Combs made the motion, seconded by Commissioner Layne to approve the minutes as prepared. The motion carried unanimously.

AGENDA ITEM III. BUSINESS FROM THE FLOOR

THOMPSON ROAD PROPERTY: Jerry Kanney and Dennis Rohrer of Interstate Natural Gas appeared before the Commission to discuss the city's advertisement for proposals for the sale and development of the city-owned Thompson Road Property. Mr. Kanney asked the status of the widening of Thompson Road. Commissioner Davis explained that widening Thompson Road has been discussed and is a desired project, however the city is in need of funding assistance. The city engineer advised the project has been listed in the Department of Transportation's six year plan. Mr. Kanney asked if the Commission would accept proposals for the purchase and development of individual tracts rather than the entire 19 acre (approximate acreage) tract. The City Attorney explained that the city's advertisement requested proposals and would permit the Commission to consider the development of portions of the property. The Commission pointed out that the back portion of the property is probably the least desirable location and would require an easement reservation to provide ingress/egress to this portion of the property, which decreases the amount of buildable property located in the front portion.

Mr. Kanney requested a work session with the Commission to discuss paving at Quail Valley Subdivision and the possible widening of the street that provides access to the water tank. The clerk was directed to coordinate a work session.

Baretta Casey, M.D. appeared before the Commission to notify them of her intent to submit a bid for the acquisition of the Thompson Road Property. Dr. Casey gave the Commission an outline of her proposed activities, however, upon the counsel of City Attorney Davis, the Commission returned the documents to Dr. Casey. The Commission requested that Dr. Casey submit the bid as specified in the advertisement.

City Engineer Sykes advised the Commission that sufficient right of way should be retained from total acreage should widening Thompson Road become feasible.

AGENDA ITEM IV. PAYMENT OF BILLS

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A. **Pikeville Affordable Housing:** Presented for approval was a letter from the Pikeville Affordable Housing Corporation requesting to draw-down ARC funds in the amount of \$58,669.41. The funds will be used to pay Patriot Construction's invoice #5 for construction to date of the Kentucky Avenue Retaining Wall (Contract 1B).

B. **Patriot Construction :** Submitted to the Commission for approval of payment was invoice #5 on behalf of Patriot Construction for construction activities completed for Contract 1A (KY. Avenue Roadway and Utilities). The invoice will be reimbursed by Department of Transportation funds.

Commissioner Combs made the motion to approve both pay requests. Commissioner Layne seconded the motion. The motion carried unanimously.

AGENDA ITEM V.

OLD BUSINESS

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

1. **Kentucky Avenue:** Mr. Sykes advised that 95% of the retaining walls are completed. The utility trunk lines are in place, the curb and gutter is in place for the first phase of the housing project, as well as a majority of the fill, and the storm sewer is in place. The contractor, Patriot Construction, is behind schedule. Through change order, the contract time was extended to December 29th. The contractor is now 16 days into liquidated damages. Mr. Sykes reported that the contractor will be addressing the issues causing the time delays with the Commission at a more appropriate time. Mr. Sykes advised that Patriot Construction has indicated the housing project contractor, Goggans Construction, should be able to begin work on January 21st. Mr. Sykes reported the project has been installed pursuant to specifications. The Commission questioned the fill materials placed in Poor Farm Hollow. Mr. Sykes reported that the contractor will compact the materials, however the material is too wet at this time, and due to time constraints on the Kentucky Avenue Project, the contractor has not been able to take the time to compact the material as it was placed. The concrete, asphalt, and other debris in the fill material is mainly from the downtown renaissance project. Mr. Sykes explained that 95% of the fill in Poor Farm was placed from the highway construction and it was not compacted. He commented that it will require some effort to prepare the foundation for building through installation of a pad or with borings. The Commission also discussed the need for Patriot Construction to keep the street clean. U.S. Filter has been running the street sweeper. The Commission asked Mr. Sykes to advise the contractor of his responsibility in keeping the street clean and to invoice the contractor for prior cleanings.

B. **PIKEVILLE MAIN STREET PROGRAM:** Main Street Board Executive Director, Glendia Sawyers, advised the Commission the Department of Local Government has awarded \$1 million in CDBG funds to be used in Phase II of the downtown Utility Relocation Project. Commissioner Justice made the motion, seconded by Commissioner Combs to accept the January 8, 2002 letter of conditions and the grant funds. The motion carried unanimously.

C. **CITY ATTORNEY'S REPORTS:** Russell H. Davis, Jr., City Attorney, reported the city has acquired the Hatcher Court Property. He explained that the former owners had leased a portion of the property to Pikeville College for parking. Mr. Davis advised of the need to send a notice of intent to cancel the lease agreement at the end of the term period (September, 2002). Construction is expected to begin on the parking structure in April, 2002. City Engineer Sykes and City Attorney Davis reported that Pikeville College officials are aware that they may have to find alternate parking when construction begins. Commissioner Combs made the motion, seconded by Commissioner Davis to authorize the City Attorney to send a notice of intent to terminate to Pikeville College. The motion carried unanimously.

City Attorney Davis requested a closed session for the purpose of discussing a civil suit regarding a

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~~billboard sign located on the city's right-of-way and along Hambley Boulevard.~~

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

1. Garbage Packer/Truck: City Manager Blackburn advised that one of the garbage trucks blew an engine this past week. The truck is seven years old and was scheduled for replacement in the next fiscal year's budget. Due to the tremendous wear and tear on the other vehicles, the City Manager asked the Commission to declare an emergency and purchase a garbage truck/packer from Municipal Equipment in the amount of \$86,950.00. U.S. Filter Manager Hamilton solicited quotes from three vendors. While the quote from Municipal Equipment was not the low quote, it was the lowest, and best quote. Reasons cited were the fact the truck/packer is the same type as the other vehicles and can be serviced locally. Commissioner Layne made the motion, seconded by Commissioner Justice to declare an emergency and purchased a garbage truck/packer from Municipal Equipment in the amount of \$86,950.00. The motion carried unanimously.

2. Hambley Complex: Joe Jones of JRA Architects, submitted a written estimate for consulting services for the design of the expansion and improvement of Hambley Complex. The city will be invoiced for services on an hourly basis for a total cost not to exceed \$3,000. The Commission consented to the estimate.

3. Homeless Shelter Inspection: City Manager Blackburn reported that a safety inspection was performed by the Kentucky League of Cities on all city-owned buildings since they are the providers of the general liability insurance. Several issues were discussed concerning needed repairs at the homeless shelter and KLC's recommendation that the Commission consider contracting with a private firm for the operation of the homeless shelter. Mr. Blackburn advised that repairs have begun at the shelter. The shelter was, at one time, operated by a local agency. The Commission voiced their opposition in contracting with a private agency for the operation of the shelter.

At 7:00 p.m., Commissioner Justice made the motion to adjourn to closed session for the purpose of discussing a legal matter and a property acquisition matter. Commissioner Davis seconded the motion. The motion carried 5 - 0.

At 8:13 p.m., Commissioner Combs made the motion, seconded by Commissioner Layne to reconvene to regular session. The motion carried unanimously.

There being no further business to come before the Commission, Commissioner Justice made the motion, seconded by Commissioner Davis to adjourn the meeting. The motion carried unanimously. (Adjournment Time: 8:14 p.m.)

The City Commission's next scheduled meeting is January 28, 2002. The meeting will be held in the City Hall Public Meeting Room at 118 College Street, Pikeville, Kentucky.

APPROVED:

Frank M. Morris
FRANK M. MORRIS, MAYOR

ATTEST:

Karen W. Harris

KAREN W. HARRIS, CITY CLERK