

# MINUTES } CITY OF PIKEVILLE

## CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES APRIL 8, 2002

The Board of Commissioners for the City of Pikeville met in regular session on Monday, April 8, 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 called the meeting to order at 6:20 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

Commissioner Dallas Layne was absent.

### AGENDA ITEM II.

### MINUTES

The minutes of special meetings held on March 1, 21, and 28, 2002, were included in each Commission Member's agenda package. There being no additions or corrections, Commissioner Justice made the motion to approve the minutes as submitted. Commissioner Davis seconded the motion. The motion carried 4 - 0.

### AGENDA ITEM III.

### BUSINESS FROM THE FLOOR

**A. DESKINS SUBDIVISION:** City Engineer, Jack Sykes, advised the Commission that he has been negotiating with property owners and the C & O Railroad regarding the extension of sewer services to a subdivision owned by Bill Deskins. As discussed at the previous meeting, Mr. Deskins is constructing the sewer line extension at his cost. Oliver Blackburn has a deed of conveyance from the C & O Railroad which gives him the right to extend a sewer line under the railroad crossing. Mr. Sykes advised a permit from the railroad would cost about \$25,000. According to the city engineer, Mr. Blackburn is leery about having the sewer line constructed in his name. The railroad is willing to waive the permit fee and agree to an assignment of the right to construct a sewer line to the city. Commissioner Justice made the motion, seconded by Commissioner Davis to accept the conveyance. The motion carried 4 - 0.

**B. MAIN STREET PROGRAM:** Glendia Sawyers, Pikeville Main Street Program's executive director, advised that the Department of Local Government has approved the city's request for a waiver allowing Ms. Sawyers to administer the CDBG funds awarded for Phase II of the utility relocation project. The waiver is subject to Ms. Sawyers attending the next available Certified Grant Administrators training session and attending a review session with DLG staff of the required elements and regulations involved with administering a CDBG. Any costs found to be ineligible or unallowable due to administrator error will be the responsibility of the city.

During the previous meeting, the Commission reviewed a contract from Palmer Engineering in the amount of \$13,075.00 to provide historic evaluation services for two buildings located on Saad Avenue. Ms. Sawyers reported that she contacted the Kentucky Heritage Council to request they provide the required historic consultation services. It was learned there were 4 structures identified for the historic services. Besides the buildings on Saad Avenue, there is one building located on Sycamore Street and the other is owned by Charles Rowe and located on Saad Avenue. It is planned that the latter two buildings will be transferred to Pikeville College for rehabilitation after acquisition. Ms. Sawyers explained that the Kentucky Heritage Council can't provide the services



## MINUTES } CITY OF PIKEVILLE

~~due to a conflict of interest, however they recommended the University of Kentucky Preservation~~ Program be contacted to perform the required services. Ms. Sawyers reported that bids are not required since the U.K. Preservation Program is a state agency. The U.K. Preservation Program has agreed to provide the historic evaluation services for a fee of \$1,000.00 per structure. According to Ms. Sawyers, the historic evaluation services are not required for the two structures scheduled for rehabilitation as long as the structures are rehabilitated according to the Department of the Interior regulations. Commissioner Combs made the motion to reject all bids and award a contract, totaling \$2,000.00, for historic evaluation services to the University of Kentucky Preservation Program. Commissioner Davis seconded the motion. The motion carried 4 - 0.

## AGENDA ITEM IV.

## PAYMENT OF BILLS

Presented on behalf of Wilbur J. Linder & Associates was an invoice totaling \$14,500.00 for approval of payment. Consulting services provided in this payment request include funding application preparation and development plan amendment for Phase V - High Street. Commissioner Justice made the motion to approve payment of the invoice as presented. Mayor Morris seconded the motion. The motion carried 4 - 0.

## AGENDA ITEM V.

## OLD BUSINESS

A. PIKEVILLE REDEVELOPMENT PROJECT: City Manager Kenny Blackburn presented the following items concerning Phases III, IV, and V of the redevelopment project:

1. Just Compensation: Presented was a resolution approving just compensation for property owned by Helen Potter, located at 183 Kentucky Avenue. The original compensation was established at \$47,800, however, Ms. Potter was paying property taxes on an assessed value of \$49,400. Based upon the PVA's assessment, Judy Walters, appraiser for the redevelopment project, revised the value of the property appraisal to \$49,400. The resolution is as follows:

ORDER OF THE CITY OF PIKEVILLE APPROVING THE DETERMINATION OF JUST COMPENSATION FOR ACQUISITION OF PROPERTY IN THE PIKEVILLE REDEVELOPMENT PHASE IV - KENTUCKY AVENUE TARGET AREA OF PIKEVILLE, KY

WHEREAS, the Kentucky Housing Authority, has approved HOME Investment Partnership Program funds for acquisition of properties in the Pikeville Redevelopment Phase IV - 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 CITY OF PIKEVILLE THAT:

1. The Determination of Just Compensation for the properties to be acquired in the HOME - Phase IV Target Area are hereby amended in the following amounts:

Parcel #	Building	Address	Amount
09	67	183 KY Avenue	\$49,400

2. The Grants Coordinator is directed to make a revised Offer for Purchase on this property 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



# MINUTES } CITY OF PIKEVILLE

~~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 authorized 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.

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

2. Property Acquisition: Requested was approval to acquire Phase IV - Kentucky Avenue properties owned by Barbara Merchant in the amount of \$76,300 and Kathleen Meade in the amount of \$54,700. The Merchant property is being acquired for the appraised value. The Meade property includes an administrative settlement of \$5,000, which has been approved by Kentucky Housing Corporation. Also to be acquired is property in Phase V - High Street. The appraised value was accepted by property owners, Allen Keathley - \$45,700; and Hensley Development - \$209,900. Commissioner Justice made the motion to approve the acquisitions. Commissioner Davis seconded the motion. The motion carried 4 - 0.

3. Condemnation Proceedings: Mr. Blackburn advised that the owner of a vacant lot in the High Street - Phase III area can't be located. Presented was a resolution authorizing condemnation of the lot as follows:

## RESOLUTION OF THE CITY OF PIKEVILLE AUTHORIZING INITIATION OF CONDEMNATION PROCEEDINGS RELATIVE TO THE PIKEVILLE REDEVELOPMENT PROJECT - HIGH STREET - PHASE III

WHEREAS, certain real property is situated within the corporate limits of the City of Pikeville, Kentucky, and;

WHEREAS, the acquisition of such property is necessary by the City of Pikeville, Kentucky for the purpose of elimination of slum areas and blighted areas as stipulated in KRS Chapter 99.370; and,

WHEREAS, a Development Plan for the Pikeville Redevelopment Program has been prepared and adopted by the Pikeville City Commission in accordance with KRS Chapter 99, specifically identifying properties to be acquired and the public purpose for which the property scheduled for acquisition will be utilized after acquisition; and,

WHEREAS, negotiations with various owners of real property in the CDBG Target Area have failed to result in the purchase of the properties as identified in the Development Plan; and,

WHEREAS, KRS 416.550 to 416.670 requires that the governing body of the municipality approve the initiation of condemnation proceedings wherein the property sought to be condemned lies;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PIKEVILLE:

1. That the properties located in the Pikeville Redevelopment Project - High Street - Phase III CDBG Target Area, upon which condemnation proceedings will be initiated, are located



## MINUTES } CITY OF PIKEVILLE

~~within the City of Pikeville and have been identified in the Development Plan prepared in~~  
accordance with KRS Chapter 99 and approved by the City Commission.

2. That the following described real property is needed by the City of Pikeville for purposes of elimination of slum and blighted areas and the related conditions caused by such areas, and are further identified as follows:

Parcel #	Address	Owner of Record
06	High Street Lot	Unknown

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

B. CITY ENGINEERS' REPORTS: Jack Sykes representing Summit Engineering, City Engineers, presented a verbal status report for the following projects:

1. Bowles Addition Sewer: During the meeting of December 20, 2001, the Commission authorized contracting with Rinker Materials in the amount of \$48,000 for rehabilitation of a sewer line located in Middle Bowles Addition. After further inspection, it was determined the 8 inch galvanized pipe was corroded to the point that the u-liner was not a viable remedy. Since the next street is also constructed of galvanized pipe, it is recommended to replace that line as well. Boca Enterprises, Inc. was contacted to submit a quote. Because of the close proximity of walls or other structures to the utility easement, Boca Enterprises proposes to do directional boring to install a new sewer line. There are two methods of line installation. One is to drill into the existing line and pull back a new line. The second option is to drill beside the existing line. Because a new line will have to be constructed, all of the sewer services would have to be located and new taps installed. Boca Enterprises has liability concerns in that a wall is leaning and it may cause further damage when line installation begins. Additionally, there are trees and shrubs located on the easement. The contractor will seed and straw the disturbed area, but will not replace any plantings. City Attorney Davis advised there are no liability concerns for any items placed in the easement area, however he advised there may be concerns for walls constructed on the property line. Cost for both streets is \$110,000. City Manager Blackburn questioned the replacement of the second street and asked if the u-liner was an option. The engineer explained that it was cheaper to construct both at the same time due to mobilization fees. U.S. Filter Manager Duane Hamilton advised that he had not seen the estimate. City Manager Blackburn requested the Commission table the matter until the next meeting to give the engineer, U.S. Filter manager, and the city manager to review the matter. The city engineer will secure two additional quotes.

2. Kentucky Avenue Roadway Improvements: City Engineer Sykes reported the plans for the second portion of the improvements to Kentucky Avenue, including the tie-in from Auxier Avenue to Hambley Boulevard, have been completed and presented to the necessary agencies for approval. Mr. Sykes requested permission to advertise for bids (between now and May 15th). A contract will not be awarded until the funds have been released. Commissioner Davis made the motion, seconded by Mayor Morris to authorize the City Engineer to advertise for bids for the second portion of the improvements to the Kentucky Avenue roadway. The motion carried 4 - 0.

3. Hambley Athletic Complex Improvements: Prior to this evening's meeting, a work session was had with JRA Architects concerning the proposed improvements to Hambley Athletic Complex. Commissioner Justice made the motion to authorize a letter requesting financial assistance be sent to Governor Patton and Congressman Rogers, and to ask Pikeville High School and Pikeville College officials to submit letters of support. Commissioner Justice made the motion, seconded by Commissioner Davis to authorize preparation of the letters as requested. The motion carried 4 - 0.

City Attorney Davis advised that Commissioner Justice had asked the feasibility of refinancing the city's various bonds to raise surplus capital for funding improvements to Hambley Athletic Complex.



# MINUTES } CITY OF PIKEVILLE

~~Commissioner Justice made the motion to authorize the City Manager to obtain quotes for bond refinancing. Commissioner Combs seconded the motion. The motion carried 4 - 0.~~

Mr. Sykes reported that Glendia Sawyers had contacted the Big Sandy Area Development District to see if any funds are available for improvements to Hambley Complex. There is a possibility that Area Development Funds are available. Commissioner Justice made the motion, seconded by Commissioner Davis to authorize Ms. Sawyers to submit a funding application to Big Sandy Area Development District for improvements to Hambley Complex. The motion carried 4 - 0.

4. Bridge Inspections: The city engineer reported he is in receipt of a quote from an engineering firm experienced in bridge inspections. The city is responsible for the maintenance and inspection of two bridges - 7th Street walk bridge and the Pauley Bridge. Mr. Sykes advised that he feels the quotes are excessive. Buell, Fryer, McReynolds, Inc. submitted a quote of \$25,000 for inspection of the 7th Street bridge and \$35,000 for the Pauley Bridge inspection. Mr. Sykes told the Commission that Summit Engineering would perform the inspection of the 7th Street bridge pursuant to their retainer fees. He requested U.S. Filter's assistance in tearing off some of the wooden planks to allow for inspection of the structure. Since the Pauley Bridge is closed to pedestrian traffic, inspection was delayed until funds are available for necessary repairs. The Commission requested that Mr. Sykes present cost estimates for the repair of the Pauley Bridge at the next meeting.

5. Sandy Valley Water Tank (Kanney Subdivision): Mr. Sykes reported that all water lines have been reconnected. There has been some increase in the water levels for the Sandy Valley Tank. Mr. Sykes requested the water levels be observed for another month. If the water levels have not reached the desired levels, Mr. Sykes will present options for improving the storage.

C. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., City Attorney, presented a verbal report for the following matters:

1. Community Development Capital Fund: In working on the budget for 2002/03, the City Manager has determined it would eliminate a bookkeeping step by discontinuing the Community Development Capital Fund. He explained the account is funded fully by the General Fund and was begun pursuant to bonding requirements during the cut-thru. First reading was given to an Ordinance entitled as follows:

## ORDINANCE RESCINDING A COMMUNITY DEVELOPMENT CAPITAL FUND AND ROLLING ALL EXISTING FUNDS INTO THE ANNUAL BUDGET

2. Crime Stopper Program: Police Chief Justice and Sergeant Woody Pruitt have been working to establish a crime stopper program for Pikeville. The program is a nationally advertised program. The local program is overseen by a 15 member board made up of local community leaders. One of the aspects of the program allows for informants to be paid a fee for information that leads to a conviction. Police Chief Justice has requested allocation of \$3,000 to be used as initial start-up fees in paying the informants. Mr. Davis advised that the crime stopper program is a non-profit agency and the city can designate funds for the public purpose. He recommended treating the allocation as a grant. An ordinance establishing the grant will be presented at the next meeting. Commissioner Justice suggested adding a clause to the ordinance providing the city's allocation be used for crimes committed within the corporate boundaries.

3. Street Names: Presented to the Commission for consideration was a request from 911 Coordinator, Paul Maynard, requesting the naming/re-naming of certain streets to provide a more efficient response time by public safety personnel. The streets identified were as follows: Woodland Hill Drive - previously 995 Harold's Branch Road; Lily Circle - off Scott Avenue and leading to 7th Street; Autumn Ridge Drive- turns right from 536 Walters Road; Spring Ridge Drive-turns left from Autumn Ridge Drive and Cecil Hills Drive-originally named Cecil Drive. An Ordinance was



# MINUTES } CITY OF PIKEVILLE

presented and given first reading captioned as follows:

**ORDINANCE NAMING CERTAIN UNNAMED STREETS WITHIN THE CITY OF PIKEVILLE TO "WOODLAND HILL DRIVE", "LILY CIRCLE", "AUTUMN RIDGE DRIVE", "SPRING RIDGE DRIVE; AND "CECIL HILLS DRIVE"**

Second reading was scheduled for the next regular meeting.

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

1. **Solid Waste Hauling & Disposal:** Three bids were received in answer to the advertisement for a contractor to provide hauling and landfill disposal services. The bids were as follows:

**Green Valley Environmental, Corp:**

**Option A: Hauling and Disposal of solid waste from the City of Pikeville transfer station**

1 year rate per ton:	no bid
3 year rate per ton:	\$27.00/ton
5 year rate per ton:	\$27.00/ton
10 year rate per ton:	no bid

**Option B: Disposal of solid waste from the City of Pikeville transfer station delivered to the Green Valley Landfill**

1 year rate per ton:	\$17.00/ton
3 year rate per ton:	\$17.00/ton
5 year rate per ton:	\$17.00/ton
10 year rate per ton:	no bid

**Cooksey Brothers Disposal Company, Inc.**

**Option A:**

5 year rate per ton:	\$31.50/ton
10 year rate per ton:	\$34.00/ton

Bid with an exception regarding the price of diesel fuel within the five year term of a not to exceed price of \$1.49.9/gallon.

**Option B:**

5 year rate per ton:	\$23.25/ton
10 year rate per ton:	\$25.75/ton

Bid with same exception as Option A.

**Leron Industries Inc.**

1 year rate per ton	\$42.00/ton
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After review of the bids by U.S. Filter Manager Hamilton and City Manager Blackburn, it was recommended by the city manager to award the bid to Green Valley Environmental Corporation for a 5 year period under Option A. Commissioner Justice made the motion, seconded by Commissioner Davis to award the bid as recommended and upon preparation of a contract by the city attorney to authorize the Mayor to execute said contract. The motion carried 4 - 0. Commissioner Combs suggested a press release to advise the public of the savings to the city.

2. **Foxcroft Utility Relocation:** An e-mail was sent to the city manager from the Department



## MINUTES } CITY OF PIKEVILLE

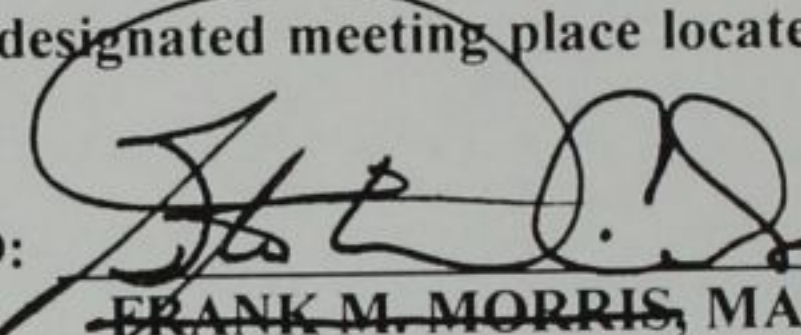
of Highways regarding the design for the water line relocation in the area along U.S. 23 South, from the Country Store to Rays Furniture Company. At the last meeting, the Commission expressed interest in installing a sewer line extension in conjunction with the water line relocation. City Engineer Sykes expressed concern at the relocation of the water line in such close proximity to the river bank. He advised the Commission that he had not reviewed the plans. The Department of Highways is requesting a decision of whether to proceed with design of the sewer line (at city expense) as they expect to complete the design by May 1st. The Commission authorized the City Engineer to review the plans and to prepare a cost estimate for the installation of a sewer line so it can be determined if the sewer line is affordable.

3. Speed control in residential neighborhoods: Commissioner Justice expressed his concern for the safety of residents in the city's various neighborhoods due to vehicular speeding. Discussed at some length were possible remedies, such as speed bumps, surveillance cameras, and more police patrol. It was the consensus of the Commission to direct the police chief to provide neighborhood patrolling for all residential neighborhoods.

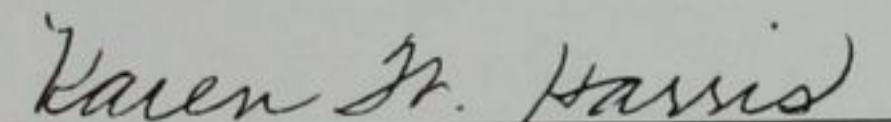
There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Combs to adjourn. The motion carried 4 - 0. (Adjournment Time: 7:40 p.m.)

The next scheduled meeting of the Board of Commissioners of the City of Pikeville will be held on April 22, 2002. The meeting will be conducted in the designated meeting place located at City Hall, 118 College Street, Pikeville, Kentucky.

APPROVED:

  
FRANK M. MORRIS, MAYOR PRO TEM

ATTEST:

  
KAREN W. HARRIS, CITY CLERK