

MINUTES } CITY OF PIKEVILLE

original

NOTICE OF SPECIAL MEETING

TO: MAYOR  
COMMISSIONERS

FRANK MORRIS  
STEVE COMBS  
EUGENE W. DAVIS  
FRANK JUSTICE, II  
DALLAS LAYNE

YOU ARE HEREBY NOTIFIED THAT THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, IS CALLED TO MEET IN A SPECIAL SESSION AT NOON ON MAY 29, 2002, IN THE CITY HALL PUBLIC MEETING ROOM, CITY OF PIKEVILLE, KENTUCKY, FOR THE FOLLOWING PURPOSES:

I. SEE ATTACHED AGENDA

\_\_\_\_\_  
MAYOR

I, JAMES JUSTICE, CHIEF OF POLICE OF THE CITY OF PIKEVILLE, KENTUCKY, DO HEREBY CERTIFY THAT ON 05/28/02 I SERVED IN THE MANNER PROVIDED BY LAW UPON SPECIAL MEETING A TRUE AND CORRECT COPY OF THE FOREGOING NOTICE.

THIS 28<sup>TH</sup> DAY OF MAY, 2002.

James L. Justice  
JAMES JUSTICE, POLICE CHIEF

I HEREBY ACKNOWLEDGE RECEIPT OF COPY OF THE FOREGOING NOTICE OF SPECIAL MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, KENTUCKY, TO BE HELD AT NOON ON MAY 29, 2002, AT THE CITY HALL PUBLIC MEETING ROOM, 118 COLLEGE STREET, IN THE CITY OF PIKEVILLE, KENTUCKY.

Steven D. Combs  
STEVEN D. COMBS

Eugene W. Davis  
EUGENE W. DAVIS

Frank Justice, II  
FRANK JUSTICE, II

Dallas Layne  
DALLAS LAYNE

Frank M. Morris  
FRANK MORRIS

By Phyllis May



# MINUTES } CITY OF PIKEVILLE

## PIKEVILLE CITY COMMISSION MEETING REGULAR MEETING AGENDA MAY 29, 2002, NOON CITY HALL PUBLIC MEETING ROOM-118 COLLEGE STREET

### *I. CALL TO ORDER*

- II.* A. Consider discussion with Scott Kreutzer, on behalf of St. Francis Church, concerning the easement on Bryan Street.  
B. Consider discussion with Hugh B. Hall concerning the former city hall building.  
C. Consider discussion concerning grading and seeding on Sycamore Street.  
D. Consider discussion concerning Pauley Bridge repair funding  
E. Consider discussion concerning the storm drainage at the former Post Office location  
F. Consider scheduling work sessions to discuss the proposed 2002-03 budget  
G. Consider increasing ambulance service rates  
H. Consider discussion concerning the Hambley Athletic Field Improvements  
I. Consider discussion concerning ditch cleaning along the ByPass and Chloe  
J. Consider discussion concerning the FEMA allotment for city streets damaged during the May flooding (Fife Fork, Layne Hollow, etc.)  
K. Consider discussion concerning the pond clean-up and funding for the pond development.  
L. Consider discussion concerning the findings of the Phase I utility relocation project walk-through inspection  
M. Consider discussion concerning water control for Bob Amos Park.  
N. Consider discussion concerning the Interstate Subdivision  
O. Consider a report concerning environmental nuisance violations

### *III. PAYMENT OF BILLS*

- A. CITY BILLS  
B. PIKEVILLE REDEVELOPMENT PROJECT  
1. Baird & Baird: Legal Services for Phase II property acquisitions - \$770.00  
2. Consider approval of two property acquisitions for Phase IV: Edith Combs \$67,000; and Paul B. & Joyce Hall - \$49,700

### *IV. OLD BUSINESS*

- A. CITY ENGINEER'S REPORTS  
1. Parking Structure Bids  
2. Kentucky Avenue Phase IV Funding  
3. Renaissance Area Utility Project Phase II Funding  
4. Foxcroft Water Tanks & Flood Gate Maintenance Bids  
5. Bowles Addition Sewer Rehabilitation Update  
6. Status Report for ongoing projects  
B. MAIN STREET PROGRAM  
1. Consider approval of payment to Summit Engineering for inspection services for the underground utility project - \$5,254.16  
2. Status of underground utility project - Phase I  
3. Consider approval of payment #7 to Mountain Enterprises for Phase I utility relocation \$156,821.08



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- 4. Consider approval of Change Order #5 for Phase I utility relocation project
- 5. Program Status Report
- C. CITY ATTORNEY’S REPORTS
  - 1. Consider second reading of an ordinance amending the zoning map for three parcels in the Cedar Creek Phase V Development.
- D. CITY MANAGER’S REPORTS
  - 1. Consider approval to accept ESG grant for homeless shelter
  - 2. Consider appointment of committee to review grant writing proposals for Phase VI Pikeville Redevelopment Project
  - 3. Travel Expenditure Reports; Delinquent Utility Accounts Reports

V. *ADJOURNMENT*



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## CITY OF PIKEVILLE BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES MAY 29, 2002

The Board of Commissioners of the City of Pikeville met in special session on Wednesday, May 29, 2002 at Noon. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky. The meeting replaced the regular meeting of May 27, 2002, which was cancelled due to the Memorial Day holiday.

The special meeting agenda was as follows:

### *I. CALL TO ORDER*

- II. A.* Consider discussion with Scott Kreutzer, on behalf of St. Francis Church, concerning the easement on Bryan Street.
- B.* Consider discussion with Hugh B. Hall concerning the former city hall building.
- C.* Consider discussion concerning grading and seeding on Sycamore Street.
- D.* Consider discussion concerning Pauley Bridge repair funding
- E.* Consider discussion concerning the storm drainage at the former Post Office location
- F.* Consider scheduling work sessions to discuss the proposed 2002-03 budget
- G.* Consider increasing ambulance service rates
- H.* Consider discussion concerning the Hambley Athletic Field Improvements
- I.* Consider discussion concerning ditch cleaning along the ByPass and Chloe
- J.* Consider discussion concerning the FEMA allotment for city streets damaged during the May flooding (Fife Fork, Layne Hollow, etc.)
- K.* Consider discussion concerning the pond clean-up and funding for the pond development.
- L.* Consider discussion concerning the findings of the Phase I utility relocation project walk-through inspection
- M.* Consider discussion concerning water control for Bob Amos Park.
- N.* Consider discussion concerning the Interstate Subdivision
- O.* Consider a report concerning environmental nuisance violations

### *III. PAYMENT OF BILLS*

- A.* CITY BILLS
- B.* PIKEVILLE REDEVELOPMENT PROJECT
  - 1. Baird & Baird: Legal Services for Phase II property acquisitions - \$770.00
  - 2. Consider approval of two property acquisitions for Phase IV: Edith Combs \$67,000; and Paul B. & Joyce Hall - \$49,700

### *IV. OLD BUSINESS*

- A.* CITY ENGINEER'S REPORTS
  - 1. Parking Structure Bids



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2. Kentucky Avenue Phase IV Funding
3. Renaissance Area Utility Project Phase II Funding
4. Foxcroft Water Tanks & Flood Gate Maintenance Bids
5. Bowles Addition Sewer Rehabilitation Update
6. Status Report for ongoing projects
- B. MAIN STREET PROGRAM
  1. Consider approval of payment to Summit Engineering for inspection services for the underground utility project - \$5,254.16
  2. Status of underground utility project - Phase I
  3. Consider approval of payment #7 to Mountain Enterprises for Phase I utility relocation \$156,821.08
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  1. Consider approval to accept ESG grant for homeless shelter
  2. Consider appointment of committee to review grant writing proposals for Phase VI Pikeville Redevelopment Project
  3. Travel Expenditure Reports; Delinquent Utility Accounts Reports

### V. ADJOURNMENT

There being a quorum present, Mayor Pro-Tem Steven D. Combs called the meeting to order at 12:15 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.

A. EASEMENT: Attorney Scott Kreutzer was present on behalf of the St. Francis Catholic Church to request the city abandon the street easement crossing their property which extends from Bryan Street to Keel Street. Mr. Kreutzer explained that while the city has a dedicated easement in this area, a roadway has not been constructed. The church plans to construct an additional facility, utilizing the easement. The matter was brought before the Commission in 1998. Waivers agreeing to the closing of the street were executed by St. Francis Catholic Church and 1st Quarter Holdings. Commissioner Justice requested that Mr. Kreutzer obtain updated waivers from the property owners. The City Attorney was instructed to prepare an ordinance, abandoning the easement, to be presented for first reading at the next regular meeting.

B. BIG SANDY VALLEY HERITAGE MUSEUM: The heritage museum committee spokesman, Hugh B. Hall, introduced Nicky Hughes, curator for historic sites for the City of Frankfort. Mr. Hughes and his wife, d/b/a Victoria & Albert Consultants, Inc., will be preparing an operation plan



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for the Big Sandy Valley Heritage Museum. Mr. Hughes complimented the Commission's designation of the former city hall location as the site of the heritage museum. The Commission was given a handout specifying the items to be addressed in the plan, which include the museum's facilities, exhibit topics, and design considerations. Two public meetings will be held with local citizens to discuss the museum plan. The planning process will be completed within 4 months of the preliminary site visit. The final museum plan will be presented 60 days following the second public meeting. During the March 11, 2002 meeting, the Commission approved the expenditure of \$3,500.00 to hire a consultant. Mr. Hughes estimated the museum would become operational during Governor Patton's administration.

During previous meetings, discussion was had concerning the funding for the museum. City Manager Blackburn explained that \$100,000 had been set aside in a savings account for the museum, however a portion of the funds was used to purchase property for the parking structure project. He estimated that \$27,000 remains available for the museum project.

Discussion was had concerning whether the museum board should be an agency of the city or an autonomous board. The agency has acquired a 501 C-3 tax status. Mr. Hughes gave his opinion that it would be more beneficial for the museum board to be designated a governmental agency. In addition to governmental funds, the museum would also be eligible to acquire private funding through its tax status. Mr. Hall, on the request of the museum committee, requested the museum board be designated as a city agency. Ed Maddox and City Attorney Davis will prepare an ordinance establishing the board as a city agency and setting forth member qualifications and by-laws. The museum board will follow the city's purchasing procedures. Mr. Hall requested the Commission allocate \$25,000 in the 2002/03 budget for operating funds for the museum. Commissioner Layne made the motion, seconded by Commissioner Combs to budget \$25,000 for the museum in the upcoming fiscal year. The motion carried 4 - 0.

**C. ENVIRONMENTAL NUISANCE VIOLATIONS:** To assist with the efforts in rehabilitating the pond area, the fire chief and environmental officer were instructed to enforce the dilapidated housing and environmental nuisance ordinance. During the past two weeks, environmental officer, Jeff Wood, issued 22 citations for various infractions including weeds and grass, trash and debris, and abandoned vehicles. Ed Isom, a resident of Chloe Creek, told the Commission that he had been cited to remove two vehicles. The certified notice of violation gave him until May 28th to have the vehicles removed. One vehicle was moved over the weekend. Mr. Isom complained that the environmental officer had contacted him on May 27th to find out why the remaining vehicle had not been removed. Mr. Isom interpreted this action as a form of harassment. Fire Chief Hall advised the Commission that he had instructed the environmental officer to contact Mr. Isom to see if he needed the assistance of PRIDE in removing the vehicle, since they were in the Layne Hollow area. Mr. Isom contended that he had until May 28th to remove the vehicle and should not have been contacted prior to that date. City Manager Blackburn reported that both vehicles have been removed and the violation fine has been waived. The Commission instructed the environmental officer to give an appropriate amount of time to clear a violation at the time of issue, and to not contact the offender until the specified time period has expired.

**D. PAULEY BRIDGE REPAIRS FUNDING:** Pikeville Main Street Board Vice-Chair, Sara George, advised the Commission that a TEA-21 funding application had been submitted in 2001 for repairs to the Pauley Bridge. Because this particular application was non-Renaissance related, Ms. George did not know the reason the application was not funded. According to Ms. George, the city missed the application deadline to submit a TEA-21 funding application for 2002. She said it has been indicated that the city may undertake repairs of the bridge utilizing general operating funds. Since the Pauley Bridge is on the National Register for Historic Places, it is a prime candidate to receive federal transportation funds. The Main Street Agency will assume responsibility to file a funding application, for the necessary repairs to the bridge, during the next funding cycle - February, 2003.

**E. DRAINAGE PROBLEMS:** After the previous meeting, City Manager Blackburn sent a letter to



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D.O.T. District Engineer, Linda Justice, requesting the state repair the storm drains at Fiddler's Drive, Chloe Creek, and Williamson Road. No reply has been made to the request. Mr. Blackburn added that he had spoken to state engineer, Dan'l Hall, prior to the May 2nd flooding to request the storm drains in these areas be repaired. Fire Chief Hall met with Roy Spears from the D.O.T. Maintenance Department. Mr. Spears indicated his crew would be going behind the Landmark and dredging the ditch. U.S. Filter will film the drains the end of the week to determine if there is blockage or if the drains go anywhere. Sara George suggested that U.S. Filter contact engineers, Darold Slone, Hugh Sammons and Dan'l Hall when they put the camera through the drains. Commissioner Combs requested that the Commission be notified of the date and time they will put the camera through the drains. Commissioner Justice asked for the drains located on the Speedway property be filmed. He advised that he believes the drains to be filled with sediment, allowing the drainage to overflow onto the highway. U.S. Filter Manager Hamilton reported that since the drain is on private property, U.S. Filter charges a fee to clean out the drain. Speedway personnel refused to allow U.S. Filter personnel to clean the drain, advising they would take care of cleaning the drain themselves. Should Speedway not clean the drain, the City Attorney advised they could be cited under the city's nuisance ordinance. Should Speedway ignore the citation, the city could clean the drain and bill for the services.

F. 2002-2003 BUDGET WORK SESSIONS: A work session schedule was established for the review of the proposed 2002-03 operating budget. Commissioner Combs made the motion, seconded by Commissioner Layne to approve the schedule as follows:

June 10th	5:30 p.m.
June 11th	8:30 a.m.
June 12th	8:30 a.m.
June 17th	8:30 a.m.

The motion carried 4 - 0.

G. AMBULANCE SERVICE FEES: Commissioner Justice spoke to the need for an increase in ambulance service fee rates. Fire Chief Hall advised the current fee for ambulance transportation is \$500.00 per run. The local, private providers average \$1000 to \$1,200 per run. Fire Chief Hall reported the department is finalizing arrangements to begin providing three additional services. The fire chief recommended a rate increase to \$750 per run, however asked that any rate increase be postponed until the new services are implemented. It was explained the service needs to pay for itself. Not only does the city want to maintain the service but wants to improve the service at the highest technology available. Rates were last increased in April, 2001.

Fire Chief Hall reported the ambulance service underwent its annual state inspection yesterday. No deficiencies were reported. Since the implementation of the service in 1992, the department has never received a deficiency report.

H. HAMBLEY ATHLETIC FIELD IMPROVEMENTS: Due to the expansion of Pikeville High School and Pikeville College Athletic Programs to include soccer, the Commission discussed the feasibility of proceeding with Phase I of the improvements to the Hambley Athletic Complex. Phase I, estimated to cost \$1.2 million, includes installation of synthetic turf at a projected cost of \$1,027,000. Funding for the project was discussed. The Commission is considering one or a combination of the following: selling surplus property; increasing the school's lease payment and requesting a fee from the college for its use of the facility; local bank loan; or obtaining a revenue bond. Should a revenue bond be decided, payments would be \$30,000 for the first four years on \$1,280,000 for 25 years. City Manager Blackburn suggested committing Coal Severance funds to make the bond payments. Main Street Director, Glendia Sawyers, reminded the Commission the project qualifies for a minimum of \$100,000 in Area Development Funds. Commissioner Justice reported that through his review of the proposed budget, he had found about \$400,000 that could be diverted to the expansion project.



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City Engineer Sykes reported the first phase will have a 60 days construction period, however he recommended the project not begin until the end of football season. Should the city try to construct the project during the summer, he explained the city could see as much as a 15% increase in cost. Mr. Sykes attributes the proposed increase to stipulating a contractor adhere to a flat 60 day contract period (without any rain days, etc.).

City Manager Blackburn will continue to check with the local financial institutions concerning a mortgage loan with no recourse. The Commission delayed further discussion to the June 10th budget work session.

I. FEMA ASSISTANCE: City Manager Blackburn reported that FEMA officials are in the area inspecting the property damage resulting from the May 2, 2002 flooding. He explained the agency needs to see the actual damage. U.S. Filter Manager Hamilton estimates between \$2,000 to \$5,000 damage to city streets and property. Repairs will begin after FEMA conducts their inspection.

J. POND CLEAN-UP/FUNDING FOR IMPROVEMENTS: Main Street Board Vice-Chair, Sara George, reported funding applications will be submitted for a Section 319 Non-Source Implementation Grant. The grant funds will provide land development, correction of illegal hookups, highway/bridge runoff, erosion and sedimentation, and wastewater problems. The grant cycle does not open until October 1, 2002. Other funding sources investigated include FishAmerica, Habitat Improvement, and PRIDE. Most grants provide for a monetary match from the city, however, because the project is environmentally focused, most of the city's match can be realized through in-kind services - i.e. volunteer labor. Ms. George asked that the city keep a log of any organized volunteer or paid personnel labor.

K. UTILITY RELOCATION PROJECT- PHASE I WALK THROUGH INSPECTION: Charles Byers, representing Summit Engineering, engineer for the utility relocation project, reported that a walk-through inspection was conducted. Approximately 15 items were found requiring Mountain Enterprises' attention. The remaining work includes gluing down the caps covering the holes where the street lights are to be placed; milling the College/Huffman intersection, lower the manhole and repave; clean-up work is needed around the handicap ramp located at the corner of Main/Huffman; on Main Street at the AEP building, a pothole is forming around a manhole lid (installed by BellSouth contractor). The pavement will cut out and re-paved; a utility pole located at the corner of Grace Avenue will have to be relocated; lower valves located at steps leading to the courthouse; a section of sidewalk will have to be replaced at the corner of Grace/Main; add an additional drain at Pike Street; repaint the border at B B & T Bank building; repaint crosswalks at intersection leading to the river fill; and repair chipped concrete at the W. B. Call building. The engineers have requested a cost estimate from Mountain Enterprises to replace the steps at B B & T Bank with a ramp. Ms. Sawyers reported should there not be sufficient funds remaining in the Phase I budget, the sidewalk replacement at B B & T Bank could be accomplished with Phase III funds.

The Commission directed that U.S. Filter flood the streets at 8:30 p.m. this evening to ensure the drainage is proper.

L. DRAINAGE PROBLEMS/SYCAMORE STREET: Commissioner Justice presented a video he had filmed identifying a number of areas without proper drainage, as well as the need for sedimentation control and aesthetic improvements for the hillside area at Sycamore Street. Several drainage ditches within Bob Amos Park have sediment and debris preventing the proper channeling of water. Park Director Doug Justice reported the picnic shelter, play area, and walking track were flooded during the recent heavy rainfall. Commissioner Justice suggested a remedy to the drainage would be to extend the concrete ditch from the YMCA up and around the back of the office building to catch water and sediment coming off the mountain. Commissioner Combs pointed out the picnic shelter should be taken out, the slope corrected, drains installed, and the shelter rebuilt. City Engineer Sykes assumed responsibility to contact AML (Abandoned Mine Lands) to see if they would



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participate in the project since the area had been mined at one time. The City Manager was instructed to have FEMA inspect the site to determine if it qualified for clean-up funds. Commissioner Combs made the motion to authorize the city engineer to prepare a conceptual drainage plan along with cost estimates, to correct the drainage and reconstruct the picnic shelter, for review at the next meeting. Commissioner Davis seconded the motion. The motion carried 4 - 0.

Commissioner Justice advised the ditch at Layne Hollow should be dredged and the hollow cleaned of trash and debris. He reported that Layne Hollow had also been a mining site and may qualify for AML funds.

Fire Chief Hall reported that the fire department crews are concentrating their efforts in cleaning the flood gate drains and cleaning the river bank in the pond vicinity.

The Commission heard a request from Abner Justice, resident of Harolds Branch, that the drain be cleaned to prevent further flooding of his driveway. Mr. Justice reported that he has received FEMA assistance to make necessary repairs. U.S. Filter Manager Hamilton advised they were waiting until FEMA inspected the site. He told Mr. Justice that a crew would be dispatched to clear the drain on Thursday or Friday of this week.

With regard to Sycamore Street, Commissioner Combs summarized that the Commission was not satisfied with the condition the hillside was left after the houses were demolished. While the contract did not provide for reclamation efforts, Commissioner Combs stated the Commission was told that the hillside could be graded and seeded in the next demolition contract. Building Inspector, Richard Huffman, advised the additional work was not included in the subsequent contract, however, the contractor did re-grade the hillside. Commissioner Justice and City Manager Blackburn met with a contractor who will bring in about 60 truckloads of dirt, place it on the site, and seed for approximately \$20,000. This would be done after a architecturally pleasing wall was installed to prevent further erosion into the lower parking lot at Myers Tower. Commissioner Combs suggested that no further contracts for demolition be approved without a review by the city engineer and/or building inspector. Commissioner Combs made the motion to authorize the city engineer to prepare a proposal to construct a wall and to complete reclamation work for the Sycamore Street hillside. The engineer was asked to solicit quotes in order for a contract to be awarded on emergency basis. Said emergency is the erosion occurring in the lower parking lot area of Myers Tower. Commissioner Justice seconded the motion. The motion carried 4 - 0.

M. INTERSTATE SUBDIVISION: Commissioner Combs reported that Building Inspector Huffman had given him a copy of a letter of credit which would allow Jerry Kanney to begin selling housing lots in his subdivision. The letter of credit guarantees that Mr. Kanney will, within a year, construct the streets pursuant to the Subdivision Rules & Regulations. The subdivision plat was approved by the Pikeville/Pike County/Elkhorn City Joint Planning Commission. The Division of Water has approved the water and sewer plans. As a private contractor, Summit Engineering prepared the plans for the installation of the water and sewer plans. A certification and asbuilts have been provided guaranteeing the water and sewer lines have been constructed pursuant to the plans approved by the Division of Water. City Attorney Davis advised that it is reasonable to rely upon the engineer's certification.

### AGENDA ITEM III.

### PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$539,061.47 was included in the agenda package for review. City Manager Blackburn advised that the invoice for Pikeville Guttering Company in the amount of \$6,088.00 should be deleted from the bill listing. He explained that Fire Chief Hall thinks the invoice too high for the repairs to the fire station's metal roof. The fire chief will solicit other quotes. Commissioner Combs made the motion to approve payment of the bill listing as presented with the deletion of \$6,088.00 to Pikeville Guttering Company. Commissioner Davis seconded the motion. The motion carried 4 - 0.



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B. PIKEVILLE REDEVELOPMENT PROJECT: Included in the agenda package were two requests for payment from Baird & Baird totaling \$770.00 for legal services in conjunction with acquisition of two properties located in the Kentucky Avenue Phase II area. Commissioner Justice made the motion, seconded by Commissioner Layne to approve payment of the invoices as presented. The motion carried 4 - 0.

Authorization was requested to proceed with the acquisition of two properties in the Phase IV, Kentucky Avenue area. It is proposed to purchase property owned by Edith Combs for the amount of \$67,000 and Paul B. & Joyce Hall in the amount of \$49,700. The property owned by Edith Combs is being purchased for the appraisal, however the Hall property includes a \$5,000 administrative settlement. The administrative settlement was approved by the Kentucky Housing Corporation. Commissioner Justice made the motion to authorize the purchase of the Edith Combs property for \$67,000 and the Paul B. and Joyce Hall property for \$49,700. The motion carried 4 - 0.

### AGENDA ITEM IV.

### OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes, representing Summit Engineering, city engineers, presented a verbal status report for the following projects:

I. Parking Structure Bids: Presented to the Commission was a summary of the revised negotiated pricing received for the construction of the parking garage. The revised prices were as follows:

	<u>Revised Bid</u>	<u>Original Bid</u>
Elliott Contracting	\$7,510,000.00	\$8,990,000.00
Rentenback Constructors	\$7,648,000.00	\$9,030,000.00
Commonwealth Bldg. & Const.	\$8,689,000.00	\$11,392,000.00

Mr. Sykes explained the negotiated pricing was sought from the original three bidders due to the initial bids coming in about \$1 million over available funding. An addendum was issued to the bidders deleting the pedestrian bridges; reducing the steel reinforcing cage in all auger cast piles; added three additional test piles; deletion of corrosion inhibitor from concrete structure and slabs; delete brick veneer from walls of stair and elevator towers; delete metal awning over sidewalk; changing exterior insulating finish system from exterior building surfaces to acrylic paint system; delete painting on interior surfaces of all concrete block walls; change glass block at stair and elevator towers to aluminum storefront; change from digital cameras for security to analog; delete computer and software for reporting customer use of parking control gates; and change in light fixtures. Mr. Sykes advised that he has written a letter to Congressman Rogers asking for a budget allocation of \$1.5 million from the 2004 federal budget to complete the project as originally designed.

Based on the negotiated bids, a 6.5% contingency budget is allowed. Adding back to the contract the corrosion inhibitor for the concrete structure and slabs (\$149,260) would leave a 4.5% contingency. The engineer advised that a 4.5% contingency for this project is acceptable. The engineer recommended award of the base bid to the low bidder, Elliott Contracting and to approve a change order in the amount of \$149,260. He asked the Commission award the bid subject to written confirmation from the state that all funds are available and upon receipt of a signed agreement from the Trimble Heirs for the property exchange. The Commission discussed the possibility of adding back the brick veneer to the back side of the building (facing the residential section). The contractor was present and estimated the cost between \$45,000 to \$50,000. The Commission decided to consider the brick veneer versus the dry-vit at a later date. Commissioner Justice made the motion to award the bid to the low bidder, Elliott Contracting, for the base bid of \$7,510,000.00 and add back to the contract \$149,260.00 for the corrosion inhibitor admixture in the concrete structure and



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slabs, with the condition the funds are available and a signed deed of exchange is submitted by the Trimble Heirs. Commissioner Combs seconded the motion. The motion carried 4 - 0.

2. Kentucky Avenue Phase IV Funding: The city engineer reported that he had received a call from the Secretary for the Department of Transportation concerning the funding for the Phase IV roadway and utility improvements for Kentucky Avenue. He was informed that the \$1.2 million allotted for the project will be in the form of an amendment to the existing agreement for Phase II. Funds will not be available until July 1, 2002.

3. Renaissance Area Utility Project - Phase II Funding: Mr. Sykes reported that an additional \$100,000 was needed for the contingency budget for the second phase of the underground utility relocation project. In conversation with the Secretary for the Department of Transportation, it was indicated the funds would be designated by separate agreement, and available July 1, 2002. The \$1 million in Coal Severance Funds allotted in the state budget for the project won't be released until approval of the state budget.

4. Foxcroft Utility Relocation: The city manager and representatives from Summit Engineering met with Department of Transportation officials to discuss the relocation of the utilities on U.S. 23 (from the Country Store to Ray's Furniture) in conjunction with D.O.T.'s reconstruction of a portion of the highway. The D.O.T. has agreed to fund the relocation of the water and gas lines, however the sewer force main requested by the City Commission ( for future expansion) will not be advertised unless they receive a funding commitment. D.O.T. engineers plan to advertise for bids within the next two weeks.

5. Foxcroft Water Tank & Flood Gate Maintenance Bids: Presented to the Commission were the results of the bids submitted for the painting of the Foxcroft Water Tank and Flood Gate Maintenance as follows:

Huffman Tank & Tower, Inc.	\$47,750.00
Aaron Contractors	\$57,571.00
Welding, Inc.	\$48,800.00
Taylor Services	\$59,400.00
W & O Construction Co., Inc.	\$24,100.00

Discussed were the monetary differences between the low and second bidder. The engineer advised that W & O Construction Company has painted both the Smith Hill and Peach Orchard tanks. Both contracts were completed in a satisfactory manner. The bid submitted by W & O Construction Company is comparable to the bids received for the previous year. The engineer recommended award of the Foxcroft Water Tank and Flood Gate Maintenance Project to W & O Construction Company, Inc. in the amount of \$24,100.00. Commissioner Justice made the motion, seconded by Commissioner Combs to award the project to the low bidder, W & O Construction Company, Inc., as recommended by the engineer. The motion carried 4 - 0.

6. Bowles Addition Sewer Rehabilitation: A purchase order in the amount of \$45,700 was issued to the contractor for rehabilitation of a sewer line in the Middle Bowles Addition. Property owners will be notified of the city's intent to utilize the sewer easement.

B. MAIN STREET PROGRAM REPORTS: Executive Director for the Pikeville Main Street Program, Glendia Sawyers, presented the following items for the Commission's consideration:

1. Underground Utility Project - Phase I: Presented for approval were two invoices from Summit Engineering - Inspection Services - \$5,254.16 and Engineering Services - \$274.31 for the first phase of the underground utility relocation project. The invoices have been approved for payment by the Main Street Board. Commissioner Combs made the motion, seconded by Commissioner Justice to approve payment as requested. The motion carried 4 - 0.



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2. Mountain Enterprises: Pay Request #7 totaling \$156,821.08 was presented to the Commission for approval of payment for Phase I of the Underground Utility Relocation Project. It was explained that the pay request covers work completed for change orders #3 and #5. Retainage in the amount of \$98,000 (5% of the contract) continues to be withheld pending satisfactory completion of the contract. Commissioner Combs made the motion, seconded by Commissioner Layne to approve payment of \$156,821.08 to Mountain Enterprises as submitted. The motion carried 4 - 0.

3. Change Order #5 - Underground Utility Relocation Project: Presented for approval was change order #5 from Mountain Enterprises. The change order increases the project cost by \$13,799.54. Purpose of the change order is for the addition of concrete intersections. Commissioner Justice made the motion, seconded by Commissioner Combs to approve the change order as presented. The motion carried 4 - 0.

Ms. Sawyers reported that she and Pike County Senior Citizens Program director are preparing an application to host the Senior Citizens State Games later in 2002 and to host the national event in 2003. Ms. Sawyers advised the games are a week long event and will be an excellent tourism opportunity for Pikeville and Pike County.

C. CITY ATTORNEY'S REPORTS: Russell H. Davis, Jr., City Attorney, presented and gave second reading to an ordinance entitled as follows:

ORDINANCE FOR THE CITY OF PIKEVILLE AMENDING THE ZONING MAP FOR CEDAR CREEK SO TO CHANGE THE ZONING FOR BLOCK B OF PHASE V OF THE CEDAR CREEK DEVELOPMENT FROM PD-MU TO R-1 FOR PROPERTY LOCATED IN BLOCK 5B; FROM R-2 TO R-1 FOR PROPERTY LOCATED IN BLOCK 5B AND FROM R-2 TO R-3 FOR PROPERTY LOCATED IN BLOCK 5A

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:

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

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

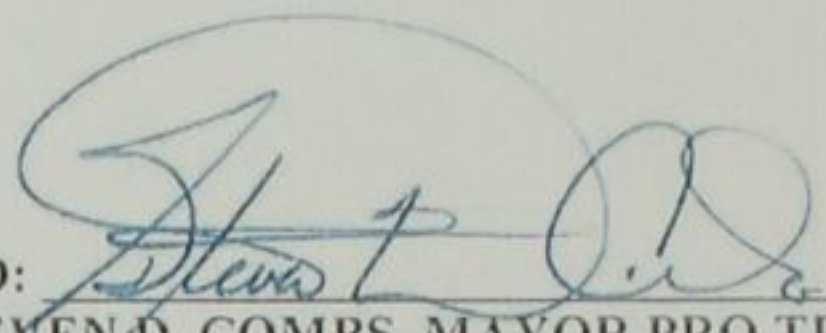
1. Emergency Shelter Grant: Presented for acceptance and signature was a grant agreement with Kentucky Housing Corporation in the amount of \$40,000 for operation costs for the homeless shelter. Commissioner Combs made the motion to approve the agreement and accept the grant funds. Commissioner Layne seconded the motion. The motion carried 4 - 0.

2. Pikeville Redevelopment Project - Phase VI Grant Writing Proposals: City Manager Blackburn reported that two proposals have been received to provide grant writing services for Phase VI of the redevelopment project. During the previous meeting, the Commission expressed they wanted a member of the Commission to be a part of the committee to review the proposals. In addition to Ms. Smallwood, Commissioner Combs and City Engineer Sykes will review the two proposals received.


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 4 - 0.



MINUTES } CITY OF PIKEVILLE

APPROVED:   
STEVEN D. COMBS, MAYOR PRO TEM

ATTEST:

  
KAREN W. HARRIS, CITY CLERK