

# MINUTES } CITY OF PIKEVILLE

## CITY OF PIKEVILLE BOARD OF COMMISSIONERS REGULAR MEETING MINUTES JULY 22, 2002

The Board of Commissioners for the City of Pikeville met in regular meeting on Monday, July 22, 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 Pro-Tem Steven D. Combs called the meeting to order at 6:05 p.m. Commission Members present at roll call were as follows:

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

Mayor Frank M. Morris was absent.

### AGENDA ITEM II. BUSINESS FROM THE FLOOR

No items were presented during the call for Business from the Floor.

### AGENDA ITEM III. PAYMENT OF BILLS

A. CITY BILLS: A list of City Bills totaling \$344,022.97 was presented to the Commission for approval of payment. Commissioner Justice made the motion, seconded by Commissioner Layne to approve payment of the bills as requested. The motion carried 4 - 0.

City Manager Blackburn advised that security systems were purchased for the Water and Wastewater Treatment Plants.

B. PIKEVILLE REDEVELOPMENT PROJECT: Presented for approval were the following invoices in conjunction with the Pikeville Redevelopment Project:

1. Walters & Associates: Presented on behalf of Walters & Associates was an invoice totaling \$1,800 for an appraisal of a Poplar Street parcel owned by Arnold Clark Akers. This invoice was considered during the previous meeting. The project director was instructed to contact Ms. Walters to find out why the cost for the appraisal was higher than the appraisals of property located within the project area. The City Manager reported that Ms. Walters explained the appraisal performed on the Akers property is known as a "before and after" appraisal and is based on a partial interest taking. She also charges the Highway Department the same amount. Ms. Walters advised that her fee for this type of appraisal can be as much as \$4,000.

2. Alpha Contracting: An invoice totaling \$9,865.00 was presented for approval of payment for asbestos removal in structures located in Phase III - High Street.

Commissioner Combs made the motion to approve payment of the invoices to Walters & Associates and Alpha Contracting as requested. Commissioner Davis seconded the motion. The motion carried 3 - 1 with Commissioner Justice casting a "nay" vote.

3. Asbestos Abatement: Three bids were submitted to remove the asbestos in two structures located on High Street and 14 structures on Kentucky Avenue. The bids were submitted by J & M Monitoring, Inc.; Alpha Contracting Services, Inc.; and HCL, Inc. The low bid was submitted by J & M Monitoring for a total amount of \$8,929.00. It was recommended the contract for asbestos



## MINUTES } CITY OF PIKEVILLE

abatement be awarded to the low bidder, J & M Monitoring. The following resolution was presented as follows:

RESOLUTION OF THE CITY OF PIKEVILLE APPROVING THE ASBESTOS ABATEMENT CONTRACT WITH J & M MONITORING, INC. IN CONNECTION WITH THE PIKEVILLE REDEVELOPMENT PROGRAM PHASE III AND IV

WHEREAS, the City of Pikeville is undertaking the Pikeville Redevelopment Program; and

WHEREAS, Phase III of this redevelopment program involves removal of asbestos contained in two structures located on High Street; and

WHEREAS, Phase IV of this redevelopment program involves the demolition of 14 structures located on Kentucky Avenue and Poplar Street; and

WHEREAS, it has been determined that the services of a professional asbestos abatement contractor are required for implementation of this redevelopment program;

NOW, THEREFORE, BE IT RESOLVED by the city of Pikeville (hereafter referred to as "City") that:

1. The contract between the City and J & M Monitoring, Inc. for asbestos abatement services relative to the Pikeville Redevelopment Program - Phase III and IV has been approved in the amount not to exceed \$8,929. For Phase III the contract amount is \$3,525 and for Phase IV the contract amount is \$5,404.

Commissioner Justice made the motion, seconded by Commissioner Davis to adopt the resolution as presented. The motion carried 4 - 0.

A written status report for the Pikeville Redevelopment Project was submitted with the agenda package.

### AGENDA ITEM V.

### OLD BUSINESS

A. CITY ENGINEER'S REPORTS: Jack Sykes and Charles Byers of Summit Engineering delivered a verbal status report for the following projects:

1. Foxcroft Water Tank & Flood Gate Maintenance Bids: Two bids were received for the painting of the Foxcroft Water Tank and flood gate maintenance. The bids were submitted by W & O Construction in the amount of \$38,600 and Welding, Inc. in the amount of \$47,400. Mr. Byers advised there was a calculation error in the W & O Construction bid which increased their bid to \$47,600. Mr. Byers requested the Commission postpone any action pending an opinion from the City Attorney.

2. Middle Bowles Addition Sewer: Mr. Byers reported the sewer line rehabilitation project is proceeding on schedule. The contractor has completed 5 tie-ins. The project should be completed within the next week.

3. Sycamore Street Slope Remediation Bids: One bid was received in answer to the advertisement for bids to grade, place top soil, place an erosion blanket, and seed the slope located behind the Myers Tower lower parking area. The bid was submitted by Alpha Reclamation Contracting, Inc. in the amount of \$135,000.00. Construction of a modular retaining wall would add \$58,500.00 to the base bid. Mr. Byers recommended the bid not be awarded due to the excessive bid. Commissioner Combs made the motion, seconded by Commissioner Layne to reject all bids as recommended by the city engineer. The motion carried 4 - 0.



## MINUTES } CITY OF PIKEVILLE

Jack Sykes advised the Commission there is a potential for receipt of ARC (Appalachian Regional Commission) funds to pay for the retaining wall and drains associated with the Sycamore Street Slope Remediation project. Mr. Sykes requested the Commission consider authorizing Will Linder to file an ARC pre-application for a cost not to exceed \$1,500. Commissioner Justice made the motion, seconded by Commissioner Combs to authorize Will Linder to file an ARC pre-application on behalf of the City of Pikeville at a cost not to exceed \$1,500. The motion carried 4 - 0.

4. Utility Relocation Project - Phase II: City Engineer Sykes requested the Commission award the contract for Phase II of the Utility Relocation Project to Mountain Enterprises. However, prior to awarding the contract, Mr. Sykes asked the Commission to consider adoption of a resolution concerning funding for the project.

Main Street Executive Director Glendia Sawyers presented the following resolution:

RESOLUTION AUTHORIZING APPROVAL AND EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PIKEVILLE AND THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT FOR USE OF COAL SEVERANCE FUNDS FOR THE PIKEVILLE UTILITY RELOCATION PROJECT PHASE II (R-2002-017)

WHEREAS, an agreement has been presented to the Pikeville City Commission between the city of Pikeville and the Kentucky Department for Local Government, and;

WHEREAS, the Pikeville City Commission desires to place the City's utilities in the downtown Renaissance area underground and;

WHEREAS, the said Agreement concerns the Governors 2003 Spending Plan which has \$1,000,000 in Coal Severance Funds set aside for the City of Pikeville to accomplish this task.

NOW, THEREFORE, BE IT RESOLVED that the said Agreement is approved and the Mayor Pro-Tem is authorized to execute the same and to bind the City to the terms thereof.

At Pikeville, Kentucky this 22nd day of July 2002.

Commissioner Davis moved the adoption of the foregoing Resolution. Commissioner Justice seconded the motion. The motion carried 4 - 0.

Commissioner Justice made the motion, seconded by Commissioner Davis to authorize the Mayor Pro-Tem to execute a draw down request to the Department of Local Government for Coal Severance Funds in the amount of \$1,000,000. The motion carried 4 - 0.

Commissioner Justice made the motion to issue a notice to proceed to Mountain Enterprises, Inc. for Phase II of the Utility Relocation Project. Commissioner Davis seconded the motion. The motion carried 4 - 0. (Amount of contract for Phase II is \$3,197,996.88)

5. Kentucky Avenue Road/Utility Improvements - Phase IV: Mr. Sykes reported that release of funds for this project is expected in the near future. However there are easement problems regarding the project. The city manager advised there are two properties and an easement yet to be acquired and a tenant to be relocated. Mountain Enterprises, Inc. had a bid hold of 45 days and that time will expire prior to the next City Commission Meeting. The contractor has agreed to a 60 day extension of the bid hold period. Commissioner Layne made the motion, seconded by Commissioner Justice to extend the bid hold period by 60 days as recommended by the city engineer and agreed to by Mountain Enterprises, Inc. The motion carried 4 - 0.

6. Parking Structure Project: The contractor, Elliott Contracting, has mobilized and began



# MINUTES } CITY OF PIKEVILLE

site work. The engineers anticipate the caisson work to begin within the next week to ten days.

7. Civic Center Utilities: Mr. Sykes advised that Summit Engineering has prepared plans for the relocation of utilities to service the East Kentucky Exposition Center. Because of the revision of the plans for the civic center to remove the parking underneath the structure, the engineers deemed it necessary to relocate the water and sewer lines. Commissioner Combs made the motion to adopt the city engineer's recommendation with regard to this matter. Commissioner Davis seconded the motion. The motion carried 4 - 0.

8. Civic Center Budget Amendment: Executive Director of the East Kentucky Exposition Center, Donna Damron, asked the Commission to rescind Resolution R-2002-015 regarding the budget amendment for the Renaissance Kentucky 2001 Major Revitalization Grant. Ms. Damron advised the amendment provided for demolition funds to be reallocated for asbestos abatement. Renaissance KY officials recommended the amendment not be approved because any increase for a line item in the budget would require a review by the bond oversight committee which would entail a number of expenditures. Commissioner Davis made the motion to rescind Resolution R-2002-015. Commissioner Justice seconded the motion. The motion carried 4 - 0.

9. Kentucky Avenue Townhouses: Mr. Byers reported the contractor, Goggins Construction, is behind schedule in the construction of the townhouse units on Kentucky Avenue. Should the housing units not be occupied by the end of the year, the tax credits will be lost. Summit Engineering issued a letter to Goggins Construction advising the project is 43% complete with 65% of the contract time expended. The project inspector will advise the contractor to begin working weekends and longer hours through the week to meet the project deadline. Commissioner Davis requested a copy of the contract.

B. CITY ATTORNEY'S REPORTS: In the absence of the city attorney, the clerk presented two ordinances for the Commission's consideration.

1. History/Heritage Center: Presented and given second reading was an ordinance entitled:

ORDINANCE CREATING THE BIG SANDY VALLEY MOUNTAIN HERITAGE/HISTORY MUSEUM BOARD; PROVIDING FOR APPOINTMENT OF BOARD MEMBERS, OPERATIONS AND FINANCES

Commissioner Layne made the motion, seconded by Commissioner Davis to adopt the Ordinance as presented. The motion carried by the following votes:

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

2. Budget Amendment: First reading was given to an ordinance to amend the 2001-2002 operating budget. The ordinance was read entitled:

ORDINANCE AMENDING THE FISCAL BUDGET FOR THE 2001-2002 FISCAL YEAR

Second reading was scheduled for the next regular meeting.

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

1. Storm Drain Study: City Manager Blackburn reported the Kentucky Transportation



## MINUTES } CITY OF PIKEVILLE

Department has agreed to fund up to \$7,500 for a storm drainage study for the area on KY 1460 between Baird Avenue (Kentucky Fried Chicken) and the flood wall. Summit Engineering has agreed to conduct the study for \$7,500. The following resolution was presented as follows:

### RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE CITY OF PIKEVILLE AND THE KENTUCKY TRANSPORTATION CABINET, BUREAU OF HIGHWAYS, REGARDING A STORM DRAINAGE STUDY (R-2002-018)

WHEREAS, the Pikeville city Commission has determined that preparation of a storm drainage study encompassing the area along KY 1460 between Baird Avenue and the South Flood Gate closure to be in the best interest of motorists; and

WHEREAS, the Kentucky Transportation Cabinet, Bureau of Highways, has agreed to reimburse the City of Pikeville in an amount not to exceed \$8,500 for the preparation of said storm drainage study.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Pikeville approves and accepts the Agreement with the Kentucky Transportation Cabinet, Bureau of Highways, as attached.

Commissioner Justice made the motion, seconded by Commissioner Davis to adopt the resolution and authorize the Mayor Pro-Tem to execute the agreement. The motion carried 4 - 0.

It was noted the Department of Transportation is cleaning the drainage ditch located behind the Landmark Motel.

2. Hambley Field Improvements: As directed at the previous meeting, the City Manager contacted architect Chris Chrisman with regard to the life expectancy of the proposed synthetic turf for Hambley Field and the replacement cost of the turf. By written letter, Mr. Chrisman advised the turf life is 10 years. Accounting for inflation, the replacement cost is estimated between 60% and 70% of the initial cost. Discussion was had whether the turf itself would have to be replaced or if the padding only was to be replaced. It was suggested that Mr. Chrisman and Mr. Jones of JRA Architects attend the next meeting to answer the Commission's questions. Commissioner Davis asked the City Manager to contact Lexington Catholic and Tates' Creek Schools to learn about their turf installation project and to gather further information from the company that supplies the turf.

\$365,000 in Coal Severance Funds and \$90,000 from the Bob Amos Park fund are designated for the field improvements. The Commission requested that the City Manager ask a representative from Hilliard Lyons be present at the next meeting to discuss financing options.

3. Speed Bumps: Police Chief James Justice presented a petition from residents of Sixth Street requesting the placement of speed bumps to assist with speed control in their neighborhood. The petition contained the names of the majority of the property owners. Commissioner Justice made the motion, seconded by Commissioner Combs to install asphalt speed bumps as requested by the majority of the property owners. The motion carried 4 - 0.

Commissioner Combs advised there is still a speeding problem on his street in the Bowles Addition. He explained that he doesn't think the speeders are residents of the neighborhood but those working and visiting. Commissioner Justice reported that golf cart use by children is still a problem in the neighborhood. The Police Chief explained that any motorized vehicle is not to be operated without a valid drivers license. Enforcement would provide for citations to be issued to the parents.

Darlene Barber, representative of Senator Jim Bunning's office was present. She advised that the COPs Program, and Land & Water Conservation Programs have been fully funded this fiscal year.

Commissioner Combs made the motion, seconded by Commissioner Layne to adjourn to executive



## MINUTES } CITY OF PIKEVILLE

session for the purpose of discussing the acquisition of property on Poplar Street owned by Arnold Clark Akers. The motion carried 4 - 0.

Commissioner Combs made the motion, seconded by Commissioner Justice to reconvene to regular session. The motion carried 4 - 0.

Commissioner Combs made the motion to authorize the City Manager to extend an offer to Arnold Clark Akers to purchase a portion of his property located on Poplar Street in an amount disclosed during executive session. Commissioner Justice seconded the motion. The motion carried 4 - 0.

Commissioner Combs made the motion to schedule a special meeting later this week for the purpose of discussing the synthetic turf proposed for Hambley Field with Joseph Jones and to discuss financial arrangements with a representative of Hilliard Lyons. It was further moved that the City Manager be authorized to contact Lexington Catholic School to obtain information concerning their field's synthetic turf installation. Commissioner Justice seconded the motion. The motion carried 4 - 0.

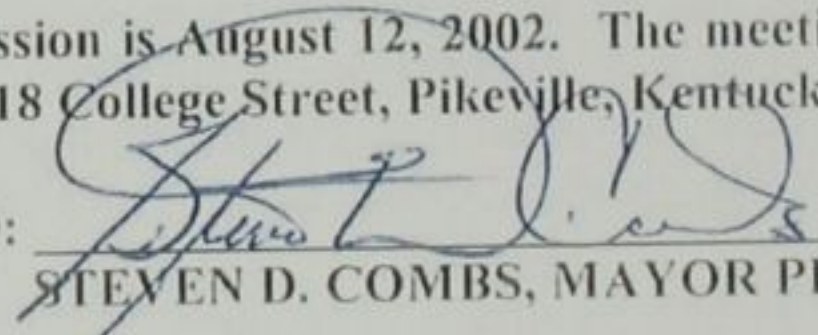
Commissioner Combs made the motion to grant a 2.4% across-the-board cost-of-living wage increase to all city employees, not to exceed \$600.00 annually per employee. Commissioner Justice seconded the motion. The motion carried 4 - 0.

With regard to the Pikeville Redevelopment Project, and more specifically the demolition of the structures along Sycamore Street and Kentucky Avenue, the Commission asked if any information had been found as to who had approved the work in the second round of demolition in order for the contractor to be paid. The City Manager advised he is in the process of gathering information and will have a report at the next Commission Meeting.

There being no further business to come before the Commission, Commissioner Combs made the motion, seconded by Commissioner Justice to adjourn the meeting. The motion carried 4 - 0. (Adjournment Time: 9:00 p.m.)

The next regular meeting of the Pikeville City Commission is August 12, 2002. The meeting will be held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

APPROVED:

  
STEVEN D. COMBS, MAYOR PRO TEM

ATTEST:

  
KAREN W. HARRIS, CITY CLERK