

Special called City Commission meeting - June 8, 1988 - 1:30 p.m. - City Hall

Mayor Gilley called the meeting to order with all commissioners in attendance. The Mayor explained that the purpose of the meeting was to give the City Attorney a chance to explain the options available to the city regarding the re-letting of the trash/and or garbage franchise. He then turned the floor over to Currie Milliken the city attorney.

Mr. Milliken stated, that in his opinion, the main reason the commission had wanted the franchise was, (1) limit the number of heavy vehicles that were tearing down the city streets, (2) to alleviate the number of heavy vehicles that were causing traffic hazards and obstructing traffic flow within the city. He stated that at the time the advertisement for bids was made, the word exclusive was not in the bid invitation. He cited the Ky. case of

Page 2 - special called city commission meeting

Willis v. Davis which was decided by an Attorney General's opinion which upheld the fact that the bid invitation must contain the word exclusive before one company only can service the city. He then suggested that the most feasible way to handle this now was for the commission to re-advertise for bids and then re-let the contract, making sure that it was advertised as an exclusive franchise.

Mayor Gilley ask the commission for their comments or suggestions about what the city attorney had stated. They were all in agreement with the attorney. Mayor Gilley ask Wayne Priest, attorney for Commercial Sanitation if he had any comments to offer. He stated that Commercial Sanitation was going to provide the same service they had for the past 12 years and hoped the commission would take this into consideration at the time they awarded the franchise.

With no further discussion to be heard, Comm. Crisp presented a motion to reject all of the bids that had been previously submitted, re-advertise for an exclusive franchise, seconded by Comm. McGuffey. Roll call and vote- Belcher yes, Gilley yes, Stiffey yes, McGuffey yes, Crisp yes.

With no further business to be heard, a motion to adjourn was floored.

Approved: James R. Gilley
Mayor

Attest: Dorothy J. Neal
City Clerk