

MINUTES } CITY OF PIKEVILLE

Application of A. C. Carter, of Prestonburg, Kentucky, for beer license as distributor was presented, filed and read to the council. Upon motion made, duly seconded and carried said application was accepted.

Letter, of date April 17, 1934, from J. D. Sword to Mayor and Council asking for position as superintendent of construction in improvement of A. D. Cline and Sam M. Caudill property on Division Street was read to the council, and passed for further consideration.

The city clerk reported that he had advertised for bids for furnishing of team and wagon for use of street cleaner in cleaning streets of the City of Pikeville, pursuant to order of council heretofore made, and read to council all bids received by him for same.

H. E. Syck moved that bid of Robert Williams, in which he agreed to furnish team and wagon for use of street cleaner in cleaning streets at price of \$1.95 per day, be accepted, effective April 18, 1934. A. S. Johnson seconded said motion, which carried unanimously.

H. E. Syck moved that Sidney Trivette, attorney, be directed to carry to Court of Appeals of Kentucky, appeal in the case of T. M. Stratton v. City of Pikeville. Clyde Childers seconded said motion. Upon roll call the vote was as follows:

H. E. Syck,	Yes;
A. S. Johnson,	No;
G. C. Call,	Not voting;
Clyde Childers,	Yes.

The mayor declared said motion carried.

G. C. Honaker appeared before the council and asked for permit to build shed back of the Dr. Walters Building on Second Street. H. E. Syck moved that said permit be granted subject to all provisions of fire zone ordinances, rules and regulations now in effect. A. S. Johnson seconded said motion, which carried.

ORDERED THAT:

A. S. Ratliff be, and he is hereby allowed the sum of \$40.47 for 20% commission on \$202.37 tax sales of Eleanor Brookes, paid to county court clerk, payable out of General Expenditure Budget Fund.

Clyde Childers moved that the mayor appoint a committee, which should act with the city treasurer, in investigating and ascertaining whether or not the city is in position to reduce water rates to inhabitants of the City of Pikeville, which committee shall report to the council at its next regular meeting. H. E. Syck seconded said motion, which carried.

The Mayor appointed on above committee the following: H. E. Syck, and Clyde Childers, together with the city treasurer.

Upon motion made, duly seconded and carried Council is adjourned until April 20th, 1934.

APPROVED:

Mayor.

ATTEST:

City Clerk.

At a regular adjourned meeting of the Common Council of the City of Pikeville, Kentucky, convened and held in the city hall in the City of Pikeville, Kentucky, on the 20th day of April, 1934, the following were present:

Mayor,	K. J. Day, and
Councilmen,	Clyde Childers,
	G. C. Call,
	A. S. Johnson,
	H. E. Syck, and
	Arthur Fields.
Councilman, Rush Sword,	was absent.

H. E. Syck introduced an ordinance entitled "LIQUOR SALE ORDINANCE of 1934--AN ORDINANCE LICENSING, TAXING, RESTRICTING AND REGULATING THE MANUFACTURE, SALE AND POSSESSION FOR SALE OF INTOXICATING LIQUORS; PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH", and moved that said ordinance be dated as of today, and passed and adopted. Arthur Fields seconded said motion. Upon roll call the vote was as follows:

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H. E. Syck, Yes;
 G. C. Call, Yes;
 A. S. Johnson, Yes;
 Arthur Fields, Yes;
 Clyde Childers, Yes;
 Rush Sword absent.

Said ordinance received a majority of the votes and said motion therefore carried and said ordinance was duly passed and adopted.

The City Clerk presented and filed report, pursuant to resolution entitled "A Resolution directing the Clerk of the City Council to advertise the sale of an electric franchise", adopted by the council April 3, 1934, which is in words and figures as follows:

"TO THE MAYOR AND CITY COUNCIL OF THE CITY OF PIKEVILLE,
 PIKE COUNTY, KENTUCKY:

I, the undersigned, John M. Hatcher, City Clerk for Pikeville, Kentucky, do hereby respectfully report to the mayor and city council that as directed in a resolution of the city council adopted at a meeting on March 19, 1934, and passed over the veto of the mayor on the 3rd day of April, 1934, and after duly advertising the same by notices published in three consecutive issues of The Pike County News, on the 5th day of April, the 12th day of April and the 19th day of April, 1934, and posted at five conspicuous places about the Town of Pikeville, Kentucky, I did on the 20th day of April, 1934, as directed in said resolution, and at the front door of the town hall in the City of Pikeville, Kentucky, offer for public sale a franchise for the use of the public streets for the distribution of light and power to the inhabitants and consumers of the City of Pikeville, as set out in said resolution above described.

Whereupon Kentucky & West Virginia Power Company, Inc., by R. E. Hodges as District Manager, presented a certificate from V. E. Bevins, City Treasurer of the City of Pikeville, evidencing the depositing with him of the sum of Two Thousand Five Hundred (\$2500.00) Dollars as a condition to his bidding at said sale; and thereupon said Kentucky & West Virginia Power Company, Inc., by said Hodges and Sidney Trivette proceeded to bid at said sale. Said Sidney Trivette bid the sum of Four Thousand Seven Hundred (\$4700.00) Dollars. He was declared by the clerk to be the highest bidder. He was asked for payment of said sum of money, but stated he had sixty days in which to pay same, and he has not paid or tendered same to date. Kentucky & West Virginia Power Company by R. E. Hodges, bid the sum of Four Thousand Six Hundred (\$4600.00) Dollars. Kentucky & West Virginia Power Company, Inc., by R. E. Hodges, tendered the amount of its bid, to-wit: The sum of Four Thousand Six Hundred (\$4600.00) Dollars in cash; and at the request of the undersigned delivered to the undersigned in lieu of such cash a cashier's check by the proper officer of the Pikeville National Bank, Pikeville, Kentucky, for said sum of Four Thousand Six Hundred (\$4600.00) Dollars; and said Power Company also reduced its bid to writing and delivered same to the undersigned.

There is attached hereto and made part of this report a copy of notice of said sale, the written bid of said Kentucky & West Virginia Power Company, the certificate of the City Treasurer above referred to, and the cashier's check for Four Thousand Six Hundred (\$4600.00) Dollars, the amount bid by said Kentucky & West Virginia Power Company, Inc.

All of which is respectfully reported.
 This April 20, 1934.

J. M. Hatcher,
 City Clerk."

Said report is marked

"Filed in open council April 20, 1934.
 J. M. Hatcher,
 City Clerk."

The City Clerk presented and filed report pursuant to resolution adopted by the council on March 19, 1934, with respect to advertising bids for street lighting in the City of Pikeville, which is in words and figures as follows:

"TO THE MAYOR AND CITY COUNCIL OF THE CITY OF PIKEVILLE,
 PIKE COUNTY, KENTUCKY:

Having been directed by resolution of March 19, 1934, to advertise for bids for the lighting of the streets in the City of Pikeville, I respectfully report to the mayor and city council of said city that on the 20th day of April, 1934, I received sealed bids, one from Kentucky & West Virginia Power Company, Inc., by R. E. Hodges, and one from Sidney Trivette.

Said bids are submitted herewith under seal to be opened at the direction of the council.
 This April 20, 1934.

J. M. Hatcher,
 City Clerk."

Said Report is marked

"Filed in open council April 20, 1934.
 J. M. Hatcher,
 City Clerk."

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A. S. Johnson moved that the two bids received for lighting streets of the City of Pikeville be opened and read by the city clerk. H. E. Syck seconded said motion, which carried.

The city clerk opened the bid of Sidney Trivette and read same to the council, which is in words and figures as follows:

"TO THE MEMBERS OF THE CITY COUNCIL AND THE MAYOR:
I submit for your consideration the following rates for the lighting of the streets and alleys according to the provisions as set out in the ordinance directing this sale:
For each 60 candle power lamp, \$15.00 per year
For each 100 candle power lamp, 21.00 " "
This bid is accompanied by the certified check of \$50.00.
(signed) Sidney Trivette."

The City Clerk opened the bid of Kentucky and West Virginia Power Company and read same to the council, which is in words and figures as follows:

"To the Honorable Mayor and Council of the City of Pikeville, Pike County, Kentucky:
The undersigned, Kentucky & West Virginia Power Company, Inc., a corporation duly organized and existing under the laws of the State of Kentucky, hereby offers to your honorable body to enter into a contract with the City of Pikeville, Pike County, Kentucky, for the lighting of said city in accordance with a resolution of your council dated the 19th day of March, 1934; and to furnish illumination for not less than nine (9) 100 candle power lamps at the rate of Twenty-Four (\$24.00) Dollars per year for each one hundred candle power lamp; for not less than one hundred sixty-eight (168) 60 candle power lamps at the rate of Eighteen (\$18.00) Dollars per year for each sixty candle power lamp; all for a period of five (5) years, with the right of renewal to the city as set forth in said resolution.
Said contract is to be drawn in writing and signed by the respective parties thereto, and to contain the provisions specified by said resolution above referred to.
Respectfully submitted, this 20 day of April, 1934.
KENTUCKY & WEST VIRGINIA POWER CO., Inc.
By R. E. Hodges,
District Manager."

Clyde Childers moved that the above two reports filed by the city clerk be received. Arthur Fields seconded said motion, which carried unanimously.

The mayor called for discussion by the citizens present of the reports of the clerk and the pending light franchises, and said matter was discussed at length.

Clyde Childers moved that the light franchise matter be referred to the Utilities Committee. Said motion was not seconded.

A. S. Johnson stated that he did not think bid of Sidney Trivette was made in good faith, and moved that the bid of the Kentucky and West Virginia Power Company for right and privilege to operate electric and power system in the City of Pikeville be accepted. Arthur Fields seconded said motion. Upon roll call the vote was as follows:

A. S. Johnson,	Yes;
Clyde Childers,	No;
Arthur Fields,	Yes;
G. C. Call,	No;
H. E. Syck,	Yes;
Rush Sword,	Absent.

Said motion received a majority of the votes and therefore carried.

A. S. Johnson moved that the bid of Kentucky and West Virginia Power Company for the lighting of the streets of the City of Pikeville be accepted. Arthur Fields seconded said motion. Upon roll call the vote was as follows:

A. S. Johnson,	Yes;
Clyde Childers,	No;
Arthur Fields,	Yes;
G. C. Call,	No;
H. E. Syck,	Yes;
Rush Sword,	Absent.

Said motion received a majority of the votes and therefore carried.

Ordinance entitled "AN ORDINANCE granting the right, privilege, franchise and authority to construct, maintain and operate in, above, under, across and along the streets, thoroughfares, alleys, bridges and public places of the City of Pikeville lines for the distribution of electric energy" was presented and read to the council.

The city attorney presented and asked the council to spread at large on its order book an order relating to light franchise, but the council took no action on same and it was marked "Tendered".

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The City Attorney advised the council that the sale of a franchise cannot be advertised by resolution, but must be done by ordinance.

A. S. Johnson called up ordinance entitled "AN ORDINANCE granting the right, privilege, franchise and authority to construct, maintain and operate in, above, under, across and along the streets, thoroughfares, alleys, bridges and public places of the City of Pikeville lines for the distribution of electric energy" and moved that said ordinance be passed and adopted. Arthur Fields seconded said motion. Upon roll call the vote was as follows:

(Before the vote name of grantee was inserted.)

A. S. Johnson,	Yes;
Arthur Fields,	Yes;
Clyde Childers,	No;
G. C. Call,	No;
H. E. Syck,	Yes;
Rush Sword,	Absent.

Said motion received a majority of the votes cast and said ordinance was therefore passed and adopted.

J. Lee Hatcher, City Assessor, recommended that W. M. Auxier be appointed deputy assessor of the City of Pikeville for the year 1934.

A. S. Johnson moved that W. M. Auxier be appointed deputy assessor of the City of Pikeville for the year 1934 without expense or charge to the city, and that the order heretofore made appointing F. A. Goff deputy assessor be set aside. H. E. Syck seconded said motion, which carried.

Upon motion made, duly seconded and carried J. D. Sword was employed to remodel A. D. Cline building on Division Street for the city, at the price of forty cents per hour, with agreement that fifty percent of all wages earned in this work be applied to his delinquent water and tax accounts.

Clyde Childers moved that K. L. Arnold be appointed to make settlement with T. M. Stratton on all replevin bonds and fines from the beginning of his term as chief of police to date. A. S. Johnson seconded said motion, which carried.

Upon motion made, duly seconded and carried council is adjourned until its next regular meeting.

APPROVED:

K. J. Day Mayor.

ATTEST:

J. M. Hatcher
City Clerk.

At a call meeting of the Common Council of the City of Pikeville, Kentucky, convened and held in the city hall in the City of Pikeville, Kentucky, on the 23rd day of April, 1934, the following were present:

Mayor,	K. J. Day, and
Councilmen,	H. E. Syck,
	Arthur Fields and
	A. S. Johnson.

Councilmen, Clyde Childers, Rush Sword and G. C. Call, were absent.

Said meeting was held pursuant to the following call:

"NOTICE.

Pikeville, Ky., April 23d, 1934.

TO H. E. Syck, Arthur Fields, A. S. Johnson, Clyde Childers, G. C. Call and Rush Sword; councilmen of the City of Pikeville, Kentucky:

You are hereby notified that there will be a meeting of the Council of the City of Pikeville tonight, April 23d, 1934, at 7 o'clock P. M., for the purpose of entering an order directing the City Attorney to institute suits in behalf of the said city to condemn rights of way along Cline Street, in said city, in order to widen said street.

Given under my hand as Mayor of the City of Pikeville, Kentucky, the day and year above written.

(Signed) K. J. Day,
Mayor."

Said call has the following notation on same:

"Service of above notice is hereby waived.
This April 23, 1934.

A. S. Johnson,
Arthur Fields,
H. E. Syck,"
Councilmen."