

MINUTES } CITY OF PIKEVILLE

Arthur Fields introduced and moved the passage and adoption of the following order:

"ORDERED that the City Attorney of Pikeville, Kentucky, is hereby directed and ordered to institute suits immediately in behalf of the City of Pikeville for the purpose of securing rights of way by condemnation proceedings in order to widen Cline Street in said city.

It is necessary to institute the suits mentioned above for the reason that the city is unable to contract for such rights of way with the property owners along Cline Street.

It is understood that the city attorney will prosecute all suits mentioned herein in all courts necessary to secure a final adjudication of the matters involved in said suits."

H. E. Syck seconded Mr. Fields' motion. Upon roll call the vote was as follows:

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

The mayor declared said motion carried and said order adopted.

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 regular 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 1st day of May, 1934, the following were present:

Mayor,
Councilmen,

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

Blake Pinson appeared before the council and asked for permit to install gas filling station in alley between Second and Third Streets and facing Pike Avenue, being located on John A. Bentley's property, and said matter was referred to the Fire Chief and Fire Committee for further consideration.

The City Clerk filed final settlement with A. J. Jackson, Tax Collector, for all city taxes except taxes for year 1933; and upon motion made, duly seconded and carried same was filed and laid over.

The City Clerk filed settlement with the chief of police for the month of March, 1934, and upon motion made, duly seconded and carried said settlement was accepted and approved.

The City Clerk filed settlement with police judge for the month of March, 1934, and upon motion made, duly seconded and carried said settlement was accepted and approved.

The City Clerk filed receipt from A. J. Jackson, Tax Collector, for penalties added to 1933 tax tickets, which is in words and figures as follows:

"April 3, 1934.

RECEIVED of John M. Hatcher, City Clerk, penalties of six percent added to city tax tickets for year 1933 in the sum of Three Hundred Twenty (\$320.29) and 29/100 dollars, said John M. Hatcher, being city Clerk of the City of Pikeville.

This Apr. 3, 1934.

(Signed) A. J. Jackson,

Tax Collector of City of Pikeville, Ky."

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Upon motion of Arthur Fields, duly seconded by A. S. Johnson and carried, V. E. Bevins, City Treasurer, is hereby authorized and directed to make the following transfers in the 1933-1934 budget:

From General Expenditure Fund to	
Fire Department Budget Fund,	\$500.00
From General Expenditure Budget Fund	
to Criminal Prosecution Budget Fund,	500.00
From General Expenditure Budget Fund	
to Street Cleaning Budget Fund,	250.00.

ORDERED THAT:

Henry Helvey be, and he is hereby allowed the sum of \$80.00 for salary as street cleaner, 25 days @ \$3.00, and four Sundays @ \$1.00, during month of April, 1934, payable out of Street Cleaning Budget Fund.

ORDERED THAT:

E. E. Trivette be, and he is hereby allowed the sum of \$80.00 for salary as police judge for the month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

Andrew Auxier be, and he is hereby allowed the sum of \$75.00 for salary as care taker of fire station for month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

Millard Burke be, and he is hereby allowed the sum of \$100.00 for salary as policeman for the month of April, 1934, payable out of Officers' Salary Budget Fund.

T. M. Stratton, chief of police, presented and filed bill for \$150.00 for salary as chief of police for the month of April, 1934. Upon motion made, duly seconded and carried said Stratton was allowed the sum of \$135.00. To the disallowance of the sum of \$15.00 said Stratton excepts and accepts said \$135.00 as a credit only. Therefore

ORDERED THAT:

T. M. Stratton be, and he is hereby allowed the sum of \$135.00 for salary as chief of police for the month of April, 1934, payable out of Officers' Salary Budget Fund.

A. S. Ratliff, City Attorney, presented and filed bill for \$100.00 for salary as city attorney for the month of April, 1934. Upon motion made, duly seconded and carried said Ratliff was allowed the sum of \$90.00. To the disallowance of the sum of \$10.00 said Ratliff excepts, and accepts said \$90.00 as a credit only. Therefore

ORDERED THAT:

A. S. Ratliff be, and he is hereby allowed the sum of \$90.00 for salary as city attorney for the month of April, 1934, payable out of Officers' Salary Budget Fund.

J. M. Hatcher, City Clerk, presented and filed bill for \$160.90 for salary and services as city clerk for the month of April, 1934. Upon motion made, duly seconded and carried said Hatcher was allowed the sum of \$144.81. To the disallowance of the sum of \$16.09 said Hatcher excepts, and accepts said \$144.81 as a credit only. Therefore

ORDERED THAT:

J. M. Hatcher be, and he is hereby allowed the sum of \$144.81 for salary and services as city clerk for the month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

G. W. Young be, and he is hereby allowed the sum of \$100.00 for salary as policeman for the month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

J. H. Childers be, and he is hereby allowed the sum of \$100.00 for salary as policeman for the month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

Charley Picklesimer be, and he is hereby allowed the sum of \$4.50 for salary as city engineer for the month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

W. B. Blackburn be, and he is hereby allowed the sum of \$20.00 for stenographic work on condemnation proceedings filed in county court by city attorney relative to widening of Cline Street in City of Pikeville, payable out of General Expenditure Budget Fund.

ORDERED THAT:

J. E. Sanders be, and he is hereby allowed the sum of \$10.00 for attorney fee for representing city in Pike Quarterly Court in the case of J. Lee Hatcher v. City of Pikeville, payable out of General Expenditure Budget Fund.

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ORDERED THAT:

Pikeville Auto Parts Company be, and it is hereby allowed the sum of \$3.50 for account for police department, as per invoice of date April 12, 1934, payable out of General Expenditure Budget Fund.

ORDERED THAT:

J. E. Stanley, Jailer, be, and he is hereby allowed the sum of \$233.25 for keeping and dieting city prisoners for the month of May, 1934, payable out of Criminal Prosecution Budget Fund.

ORDERED THAT:

First National Bank be, and it is hereby allowed the sum of \$50.00 for rent for city hall for the month of May, 1934, payable out of Rents Budget Fund.

ORDERED THAT:

Robert Williams be, and he is hereby allowed the sum of \$56.45 for 25 days work for use of team &c., cleaning streets, during the month of April, 1934, payable out of Street Cleaning Budget Fund.

ORDERED THAT:

Call Brothers Hardware Company be, and it is hereby allowed the sum of \$11.35 for account for March and April, 1934, as per invoice of April 30, 1934, payable out of General Expenditure Budget Fund.

ORDERED THAT:

Call Brothers Hardware Company be, and it is hereby allowed the sum of \$26.70 for account for March, and April, 1934, as per invoice of April 30, 1934, payable out of Fire Department Budget Fund.

ORDERED THAT:

T. M. Stratton be, and he is hereby allowed the sum of \$2.35 for freight bill paid by said Stratton for paint &c for streets, as per invoice of April 16, 1934, payable out of General Expenditure Budget Fund.

ORDERED THAT:

V. E. Bevins be, and he is hereby allowed the sum of \$18.75 for salary as city treasurer for the month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

VOID - - - J. Lee Hatcher be, and he is hereby allowed the sum of \$50.00 for two years back salary as per judgment of the Pike Quarterly Court and Pike Circuit Court, payable out of General Expenditure Budget Fund.
(This order was set aside and canceled May 17, 1934, and was entered at meeting of Council May 15, 1934, and not meeting of May 1, 1934, and should be on minutes of May 15, 1934.)

ORDERED THAT:

K. J. Day be, and he is hereby allowed the sum of \$20.83 for salary as mayor for the month of April, 1934, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

Kentucky and West Virginia Power Company be, and it is hereby allowed the sum of \$314.99 for power furnished city for street lights for the month of April, 1934, payable out of Street Lighting Budget Fund.

ORDERED THAT:

Foster Thornburg Hardware Company be, and it is hereby allowed the sum of \$79.50 for paint and brushes for streets as per invoice of April 16, 1934, payable out of General Expenditure Budget Fund.

ORDERED THAT:

Andrew Auxier be, and he is hereby allowed the sum of 94 Cents (94¢) for freight paid by said Auxier on brushes &c from J. I. Holcomb Company, April 20, 1934, payable out of Fire Department Budget Fund.

ORDERED THAT:

Kentucky and West Virginia Power Company be, and it is hereby allowed the sum of \$6.12 for lights for city hall for the month of April, 1934, payable out of General Expenditure Budget Fund.

ORDERED THAT:

Pikeville Motor Company be, and it is hereby allowed the sum of \$1.85 for parts for fire engine, as per invoice of date March 6, 1934, payable out of Fire Department Budget Fund.

ORDERED THAT:

Blue & Gray Service be, and it is hereby allowed the sum of \$28.28 for account for April, 1934, as per invoice of date April 30, 1934, payable out of General Expenditure Budget Fund.

ORDERED THAT:

T. E. Newton be, and he is hereby allowed the sum of \$150.00 for salary as superintendent of water department for the month of April, 1934, payable out of Water Works Department Fund.

ORDERED THAT:

A. S. Corbin be, and he is hereby allowed the sum of \$100.00 for

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salary as pump operator of water department for the month of April, 1934, payable out of Water Works Department Fund.

ORDERED THAT:

Kentucky and West Virginia Power Company be, and it is hereby allowed the sum of \$364.00 for power furnished water department for the month of April, 1934, payable out of Water Works Department Fund.

ORDERED THAT:

T. E. Newton, Superintendent, be, and he is hereby allowed the sum of \$59.92 for incidental expense account as water superintendent for the month of April, 1934, payable out of Water Works Department Fund.

ORDERED THAT:

Johnson & Call be, and they are hereby allowed the sum of \$24.00 for 12 joints of 18 inch tile, as per invoice of date April 30, 1934, payable out of Water Works Department Fund.

ORDERED THAT:

Foster Thornburg Hardware Company be, and it is hereby allowed the sum of \$6.24 for one bale of white rags, as per invoice of date April 13, 1934, payable out of Water Works Department Fund.

ORDERED THAT:

Pikeville Supply & Planing Mill Company be, and it is hereby allowed the sum of \$7.00 for account, as per invoice of date April 7, 1934, payable out of Water Works Department Fund.

ORDERED THAT:

Cumberland Publishing Company be, and it is hereby allowed the sum of \$9.25 for 2000 letterheads, as per invoice of date April 7, 1934, payable out of Water Works Department Fund.

The City Clerk presented and read to the Council the mayor's veto of 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", which veto is in words and figures as follows:

"Pikeville, Ky., April 27th, 1934.

TO THE COUNCIL OF THE CITY OF PIKEVILLE, KENTUCKY:

I have before me an ordinance passed by your body on the 17th day of April, 1934, which ordinance has the following title,

'AN ORDINANCE GRANTING THE RIGHT, PRIVILEGES, 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.'

Further, the ordinance states as follows:

BE IT ORDAINED by the Common Council of the City of Pikeville, Pike County, Kentucky, there is hereby granted to the Kentucky and West Virginia Power Co., the successful and accepted bidder, etc.

I have read and studied this ordinance as thoroughly as I am capable, and I find that there are several provisions in it of which I do not approve.

First, I consider that no franchise should be granted for so long a time as 20 years. Conditions in the business world are in a state of flux, and especially so in the field of electricity. The tendency of electric prices is downward, and I do not think that it would be exaggeration to say that 20 years hence the price of electric energy will be something like one-fourth of present prices.

Second, I believe that the prices allowed in this ordinance are entirely too high. The 7 cents per kilowatt hour, plus the 50 cent monthly customer charge, in reality make the charge of the first thirty kilowatt hours, approximately 8½ cents per kilowatt hour.

The rates for commercial use are also too high, in fact, it is not too much to say, barring the necessity of using it, is prohibitive.

There are other objectionable features to this ordinance, but I shall not enumerate them.

For the reasons mentioned above, as well as for others, I find that I cannot approve the ordinance, and therefore, veto same, returning same to you without my approval.

Given under my hand as mayor of the City of Pikeville, the 27 day of April, 1934.

K. J. Day,
Mayor."

Said veto is endorsed filed as follows:

"Filed April 27, 1934, at 5:36 P. M.,
J. M. Hatcher,

City Clerk."

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Arthur Fields moved that the Council pass and adopt the ordinance of April 20th, 1934, granting franchise for the distribution of electric power to the Kentucky and West Virginia Power Company, Incorporated, the veto of the mayor to the contrary notwithstanding. A. S. Johnson seconded said motion. Upon roll call the vote was as follows:

Arthur Fields,	yes;
A. S. Johnson,	yes;
G. C. Call,	no;
Rush Sword,	yes;
Clyde Childers,	no;
H. E. Syck,	yes.

Said motion received a majority of the votes cast, and said ordinance was therefore passed and adopted over the veto of the mayor, and the mayor stated that said ordinance had passed.

An Agreement between the Kentucky & West Virginia Power Company, Inc., a corporation of the State of Kentucky, and the Town of Pikeville, of date May 1, 1934, relating to street lighting of the City of Pikeville, for a period of five years, with the right of the city to renew same from year to year for an additional period of fifteen years, was presented and read to the council. A. S. Johnson moved that said Agreement be approved and adopted. Arthur Fields seconded said motion. Upon roll call the vote was as follows:

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

Said motion carried and said agreement was duly approved and adopted.

The mayor and city clerk signed said Agreement above referred to for Street Lighting in open council, in behalf of the City of Pikeville.

An Agreement between Kentucky & West Virginia Power Company, Inc., and City of Pikeville, Pike County, Kentucky, of date May 1, 1934, relating to furnishing electric energy for water works of City of Pikeville, was presented. A. S. Johnson moved that same be adopted and approved. Arthur Fields seconded said motion. Upon roll call the vote was as follows:

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

Said motion carried and said Agreement was duly approved and adopted.

Upon motion of Arthur Fields, duly seconded by A. S. Johnson and carried, V. E. Bevins, City Treasurer, is hereby authorized and directed to refund to Kentucky & West Virginia Power Company the sum of Twenty-Five Hundred (\$2500.00) Dollars, being Cashier's Check No. 19699 drawn on Pikeville National Bank deposited with him as security for bid on light franchise.

Upon motion made, duly seconded and carried the Kentucky and West Virginia Power Company is directed to install new street light at or near property of Grant Adams on Huffman Street on pole near said Adams property.

A. S. Johnson moved that Charley Picklesimer, City Engineer, be directed to establish property lines on Cline Street from Steele Street to Fourth Street. Clyde Childers seconded said motion, which carried, and it is so ordered.

D. R. Holley was designated by the mayor as special policeman for one week from May 2, 1934, and said Holley appeared and took the oath of office as such special policeman as required by law.

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

APPROVED:

Mayor.

ATTEST:

J. M. Ketchum,
City Clerk.