

## MINUTES } CITY OF PIKEVILLE

and adjoining the C & O Railroad Company's right of way, and being the same property mentioned and described in certain deed of conveyance executed by C. C. York and wife to the Foster-Thornburg Hardware Company, dated January 15, 1919, and recorded in Deed Book No. 97, page 92, of the Pike County Court Records, and being also the same property, part of which is now owned by the Sandy Valley Grocery Company (a corporation existing under the laws of Kentucky) and the Foster-Thornburg Hardware Company (a corporation existing under the laws of West Virginia); and

WHEREAS, said warrant or bond amounted to the sum of \$498.87 the payment of which was assumed by the Foster-Thornburg Hardware Company has been paid in full, and said Foster-Thornburg Hardware Company has produced written evidence of the payment of said warrant and bond and has fully satisfied this Council of the full payment thereon, together with all interest thereon:

NOW, THEREFORE, in consideration of the premises and especially of the payment of said assessment warrant or bond and all interest thereon, it is now resolved by the City Council of Pikeville, Kentucky, that any and all liens, claims or other interests of said city in or to said real estate as satisfaction or security for the payment of said assessment warrant or bond be, and the same are, now hereby fully released and discharged and the City Treasurer of the City of Pikeville is hereby authorized and directed to make, sign and execute a proper release of said lien on the margin of the record in said deed of conveyance in the Pike County Court Clerk's Office in deed book ninety-seven, page ninety-two, said release to be executed in the name of and for the benefit of the City of Pikeville through its treasurer aforesaid."

Said resolution being placed on its passage, and seconded by Clyde Childers, and vote being taken thereon, said resolution received the unanimous vote of all the members of the City Council present, and the same was thereupon, by the mayor, declared duly 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 5th day of February, 1935, the following were present:

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

Councilman, Arthur Fields, was absent.

T. J. Williamson appeared before the council and stated that his water bill was too large and desired that said matter be investigated, and said matter was referred to the Superintendent of Water Department for his attention.

T. H. Williams appeared before the Council and stated that Frank Hopkins had filled up a lot 18 inches or two feet, and that a great deal of same had washed off of said lot and filled up alley running from Seventh Street west between Scott and Cline Streets, and asked that the council have Mr. Hopkins clean up said alley.

H. E. Syck moved that the city clerk notify Mr. Hopkins/place cinders on said alley and make same passable immediately and in as good condition as it was before he dumped dirt on same. Clyde Childers seconded said motion, which carried.

Rev. W. E. Donaldson appeared before the Council and stated that the road leading from Julius Avenue upon hill to what is commonly known as "Peach Orchard" was in very bad condition and asked that same be fixed so it could be traveled, and the Mayor stated that same had been placed as a Relief project and hoped to have same hard surfaced, and believed that the city would be able to get this relief immediately.

The Street Cleaner was directed to go to road leading from Julius Avenue to Peach Orchard Knob on Friday, February 8th, and work on said street or road on said day.



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T. H. Deskins appeared before the Council and stated that he and Oscar Sowards desired permit to erect one story building on Ballard and John Weddington lot on Main Street, known as Fanny Scott lot, immediately next to T. G. Parker's store. A. S. Johnson moved that said permit be granted, same to conform in every respect to all city ordinances, rules and regulations, and to be done under the direction of the City Engineer. H. E. Syck seconded said motion, which carried.

Clyde Childers moved that the City accept the following as minimum for water rates, effective March reading, April billing, 1935, with a minimum of \$1.75 per month: said rates being as follows:

For the first 3000 gallons,	60¢ per M.
For the next 2000 gallons,	55¢ per M.
For the next 5000 gallons,	50¢ per M.
For the next 10000 gallons,	45¢ per M.
For the next 20000 gallons,	40¢ per M.
For the next 20000 gallons,	35¢ per M.
For the next 20000 gallons,	30¢ per M.
For the next 20000 gallons,	25¢ per M.
For all water in excess of the above, or in excess of 100000 gallons,	20¢ per M.

H. E. Syck seconded said Mr. Childers' motion, and that the city attorney prepare ordinance incorporating same, which said motion carried.

V. E. Bevins, City Treasurer, filed financial statement, as of February 5, 1935.

Councilmen, Arthur Fields and H. E. Syck, made the following report:

"Councilmen Arthur Fields and H. E. Syck having heretofore been appointed by the council at its meeting held September 18, 1934, to employ an attorney to assist the City Attorney in defense of action styled James Hatcher and others against Kentucky and West Virginia Power Company and City of Pikeville, said Fields and Syck now report to the council that they employed Henry J. Scott as said attorney to assist the City Attorney in defending the City in the above styled action. Said Scott to be paid fee of \$100.00."

Rush Sword moved that the above report of the committee, Arthur Fields and H. E. Syck, be accepted and that their employment of and agreement on the fee of \$100.00 to be paid Henry J. Scott to assist the City Attorney in defending the above action on behalf of the City of Pikeville be now approved and confirmed. H. E. Syck seconded said motion. Upon roll call the vote was as follows:

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

Said motion having received majority of votes therefore carried.

Rush Sword introduced the following order and moved that same be adopted and entered:

"It appearing that Mayor, K. J. Day, and City Attorney, A. S. Ratliff, have failed and refused to verify the answer and other pleadings desired to be filed by Henry J. Scott, heretofore employed as attorney to assist the City Attorney, in defense of action styled James Hatcher & vs. Kentucky and West Virginia Power Company and City of Pikeville, Arthur Fields and H. E. Syck, or either of them, are authorized and empowered to verify any or all pleadings deemed necessary to be filed in behalf of the City in the above styled case, by either the City Attorney or Henry J. Scott, attorney employed to assist in the defense of above case."

A. S. Johnson seconded the above motion. Upon roll call the vote was as follows:

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

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

Rush Sword moved that all invoices, bills and claims be laid over until the next regular meeting. H. E. Syck seconded said motion, which carried.

J. W. Call appeared before the council and stated that the sewer upon Kentucky Avenue had broken down, and that same should be fixed immediately. Upon motion made, duly seconded and carried said matter was referred to the Street Committee, with instructions to have same fixed immediately.

Roy Owsley, of the Kentucky Municipal League, visited the council in open session and reduction of various utility rates was discussed.

H. E. Syck moved that an order be entered authorizing the Mayor to notify Federal Public Service Corporation, the local gas company, that the city desires a reduction of at least 25% in gas rates at this time, and that if said proposal is not accepted, the city shall proceed with formal complaint. Rush Sword seconded said motion, which carried.



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A. S. Ratliff, City Attorney, presented bill for \$100.00 for salary as City attorney for the month of January, 1935. 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 and services as city attorney for the month of January, 1935, payable out of Officers' Salary Budget Fund.

T. M. Stratton, Chief of Police, presented bill for \$150.00 for salary as Chief of police for the month of January, 1935. 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 and services as chief of police for the month of January, 1935, payable out of Officers Salary Budget Fund.

J. M. Hatcher, City Clerk, presented bill for salary and services as city clerk for \$122.60 for the month of January, 1935. Upon motion made, duly seconded and carried said Hatcher was allowed the sum of \$110.34. To the disallowance of the sum of \$12.26 said Hatcher excepts and accepts said \$110.34 as a credit only. Therefore

ORDERED THAT:

J. M. Hatcher be, and he is hereby allowed the sum of \$110.34 for salary and services as city clerk for the month of January, 1935, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

Henry Helvey be, and he is hereby allowed the sum of \$85.00 for salary as street cleaner, 27 days @ \$3.00, and four Sundays @ \$1.00, during month of January, 1935, payable out of Street Cleaning 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 January, 1935, 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 January, 1935, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

Robert Williams be, and he is hereby allowed the sum of \$52.65 for 27 days' use of team &c for street cleaner @ \$1.95 per day, during month of January, 1935, payable out of Street Cleaning 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 January, 1935, 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 January, 1935, payable out of Officers' Salary 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 January, 1935, payable out of Officers' Salary 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 January, 1935, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

Kentucky and West Virginia Power Company be, and it is hereby allowed the sum of \$271.50 for power for street lights for month of January, 1935, payable out of Street Lighting Budget Fund.

ORDERED THAT:

A. D. Cline be, and he is hereby allowed the sum of \$50.00 for rent on city hall for month of February, 1935, payable out of Rents 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 January, 1935, payable out of Officers' Salary Budget Fund.

ORDERED THAT:

K. J. Day be, and he is hereby allowed the sum of \$20.83 for salary as mayor for the month of January, 1935, payable out of Officers' Salary Budget Fund.



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## ORDERED THAT:

Mrs. Fred Chaney be, and she is allowed hereby the sum of \$75.00 for salary as bookkeeper of water department for the month of January, 1935, payable out of Water Works Department 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 January, 1935, payable out of Water Works Department Fund.

## ORDERED THAT:

A. S. Corbin be, and he is hereby allowed the sum of \$100.00 for salary as pump operator of water department for the month of January, 1935, payable out of Water Works Department Fund.

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 19th day of February, 1935, the following were present:

Mayor,	K. J. Day, and
Councilmen,	A. S. Johnson,
	G. C. Call,
	H. E. Syck, and
	Clyde Childers.

Councilmen, Arthur Fields and Rush Sword, were absent.

Upon motion made, duly seconded and carried it is ordered that a penalty of six percent be imposed upon and added to city 1934 taxes, if not paid before April 1, 1935.

J. J. Moore, by letter, requested that the city install two new lights at New York Restaurant, near depot, and said matter was referred to the Utilities Committee.

Upon motion made, duly seconded and carried V. E. Bevins, City Treasurer, is authorized and directed to transfer the following amounts of money from the Water Works Department Fund to City's 1934-1935 Budget Fund, totaling \$3000.00:

\$2500.00 to General Expenditure Budget Fund, and  
500.00 to Criminal Prosecution Budget Fund.

The City Clerk presented receipt from H. S. Damron, Tax Collector, showing old tax books had been turned over to him for collection, which receipt is in words and figures as follows:

"RECEIVED of J. M. Hatcher, City Clerk, tax books, as follows:

1932 Books,	\$1400.10
1933 Books,	2116.61
Old tickets and check,	72.10
Total, - - - - -	\$3588.81.

Amount of old tax books and tickets received from J. M. Hatcher, City Clerk, as set out above, the sum of Three Thousand Five Hundred Eighty-Eight and 81/100 (\$3588.81) Dollars, this February 6, 1935.

H. S. Damron,  
Tax Collector of the City of Pikeville, Kentucky."

## ORDERED THAT:

Ed Auxler be, and he is hereby allowed the sum of \$89.53 for keeping and dieting city prisoners for month of January, 1935, (including \$3.99 expenses) as of February 5, 1935, payable out of Criminal Prosecution Budget Fund.

## ORDERED THAT:

Nannie Brown be, and she is hereby allowed the sum of \$5.00 for washing clothes &c for city jail for month of January, 1935, payable out of Criminal Prosecution Budget Fund.

## ORDERED THAT:

A. S. Ratliff be, and he is hereby allowed the sum of \$17.48 for 20% commission on \$87.40 tax sale of D. C. Moore, payable out of General Expenditure Budget Fund.