

MINUTES } CITY OF PIKEVILLE

and the outside consisting of aluminum paint.

"The size of the tank shall be 38'0" X 35'6", and shall have a net capacity of 300,000 gallons.

"Contractor will accompany his bids with sufficient drawings and specifications in detail so as to give the City an intelligent idea as to what he or it proposes to furnish.

"The contractor must provide proper openings in the tank for the piping as shown, with connections with the tank, with companion flanges. Also, contractor shall provide all piping to both inside and outside of the tank to the valve box. The contractor must furnish ladders both inside and outside of the tank.

"The contractor shall furnish one mushroom type vent with suitable screening in center of reef of same size as outlet pipe.

"The contractor shall furnish one trap door at top of ladder to enter tank, also also one man-hole inside, as shown on blue-print.

"The contractor shall furnish the overflow pipe. The overflow pipe shall be genuine wrought iron pipe, put together with companion flanges and properly secured to side of tank. The necks fastened to lower side of tank shall be genuine wrought iron and shall be faced and drilled at lower end, in accordance with American Standard drilling for 125 lbs. pressure."

On motion duly made seconded and carried, Meeting was adjourned until Tuesday, October 1st, 1940- 7:30 P.M.

ATTEST:

H.S. Damon
City Clerk.

APPROVED,

Hi Pauley
Mayor.

AT A SPECIALLY CALLED MEETING OF THE COMMON COUNCIL OF THE CITY OF PIKEVILLE, KENTUCKY, HELD IN THE CITY HALL, AT 7:30 P.M. ON SEPTEMBER 25, 1940, THE FOLLOWING WERE PRESENT, AND THE FOLLOWING PROCEEDINGS WERE HAD:

Mayor Hi Pauley, Presiding,
And councilmen;

Charles Sowards,
Grover C. Leslie,
T.J. Howell,
Hayes Jones,
Absent, W.S. Wells,
Charles Childers.

Acceptance of service of the below written notice of this specially called Council meeting, was accepted by the councilmen named below, the notice and signatures of those accepting service of same being:

TO:

Charles Childers
T.J. Howell
Grover Leslie
Hayes Jones
W.S. Wells
Charles Sowards, Councilmen of the City of Pikeville, Kentucky.

A special meeting of the City council of the City of Pikeville is now called to meet at the City Hall on this the 25th Day of September, 1940, at 7:30 in the evening,

At this meeting the entire situation with reference to the purchase of the gas distribution system in the City of Pikeville will be discussed, and appropriate action taken in connection with the purchase of said system and the selling of bonds and the raising of money for that purpose, and such other matters as may

properly come before the meeting.

AAG976

MINUTES } CITY OF PIKEVILLE

properly come before the meeting whether herein expressly stated or not.

Given under my hand as Mayor of the City of Pikeville, This September, -
25, 1940.

Hi Pauley, Mayor,
City of Pikeville,

I hereby accept service of the above notice,
This September 25, 1940.

G.C.Leslie
T.J.Howell
C.E.Childers
Hayes Jones
W.S.Wells
Charles Sowards.

Councilman T.J.Howell introduced the following resolution, and moved that it be passed.
RESOLUTION: DIRECTING CITY CLERK TO ADVERTISE FOR BIDS FOR GAS REVENUE BONDS,

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF PIKEVILLE,
KENTUCKY, AS FOLLOWS:

BE IT RESOLVED by the City council that the City Clerk be and he is now directed to advertise for bids to be received on October 22, 1940, for gas revenue bonds, the sale of which was authorized in an ordinance adopted by the council on August 14, 1940.

Councilman Hayes Jones seconded the motion that the above resolution be passed,
A vote on passing the above resolution resulted as follows:

T.J.Howell,	Yes
Hayes Jones	Yes
Chas.Sowards,	Yes
G.C.Leslie.	Yes.

COUNCILMAN, T.J.Howell, introduced the following resolution and moved that same be passed:

RESOLUTION EXTENDING TIME FOR CLOSING CONTRACT FOR PURCHASE OF GAS PLANT.

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF PIKEVILLE, KENTUCKY,
AS FOLLOWS:

BE IT RESOLVED, by the city council of the City of Pikeville, Kentucky, that the time for closing the purchase of the gas properties be extended for a reasonable time beyond the final adjudication of the Bowles and Jacobs case now pending in the Court of Appeals; and that during the pendency of said appeal the City will make no claim that it is entitled to any advantage by reason of non-action; and in the absence of a more definite conclusion of the contract between the City and Southern Public Service Company, the city will treat the status of the purchase contract as remaining the same and as being held up by the pendency of such litigation.

COUNCILMAN, Hayes Jones seconded the motion that the above resolution be passed, Upon a vote being taken on passing the above resolution, the vote resulted as follows:

T.J.Howell,	Yes
Hayes Jones,	Yes
Charles Sowards,	Yes
G.C.Leslie,	Yes.

THE FOLLOWING RESOLUTION WAS INTRODUCED BY COUNCILMAN HAYES JONES,
WHO MOVED THAT SAME BE PASSED.

RESOLUTION INCREASING THE COMPENSATION OF STEIN BROS.& BOYCE.

WHEREAS, Stein Bros.& Boyce will be compelled to perform exceptional, extra-

MINUTES | CITY OF PIKEVILLE

ordinary and unforeseen services, and to make substantial and unforeseen expenditures in completing the performance of their contract in connection with the purchase of the gas distributing system in this City, and the sale of Revenue bonds and other matters which they are to perform under their contract.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Pikeville, Kentucky, that in view of the unusual and unforeseen expense and services to be incurred and performed by Stein Bros. & Boyce under such contract, and subject to the conditions stated in the original contract, and subject to the final completion of the transaction as provided in the contract, the compensation of Stein Bros. & Boyce is to be increased by the sum of Five Hundred (\$500.00) Dollars, which sum is to be paid in addition to the commission set forth for them in such contract.

Hi Pauley, Mayor.

Councilman T.J. Howell seconded the motion that the above resolution be passed.

A vote on passing the above resolution resulted as follows:

Hayes Jones,	Yes
T.J. Howell,	Yes
G.C. Leslie,	Yes
Chas. Sowards,	Yes.

* * * * *

THE COUNCIL ORDERED THAT THE FOLLOWING BILL OF EXCHANGE AGREEMENT, Made this 13 day of August, 1940, by and between UNITED CARBON COMPANY, a Delaware corporation, party of the first part, hereinafter called "Sellers", the CITY OF PIKEVILLE, a municipal corporation of the State of Kentucky, party of the second part, hereinafter called "Buyer", and WARFIELD NATURAL GAS COMPANY, a Kentucky Corporation, party of the Third part, hereinafter called "WARFIELD";

WHEREAS, Seller heretofore entered into an agreement dated May 20, 1929, with Southeastern Kentucky Utilities Company, a corporation, hereinafter called "Utilities", "Utilities", and Southeastern Kentucky Fuel Company, whereby seller agreed to sell to Utilities a supply of natural gas to supply the requirements of Utilities in the City of Pikeville, Kentucky, and its environs; the term of which agreement was to be co-extensive with a franchise granted by the City of Pikeville, to Utilities on the 19th day of July, 1928, and expiring twenty(20) years after said Date; and

WHEREAS, Seller subsequently entered into an agreement with Warfield dated December 31, 1930, for the sale of natural gas to Warfield from a large area located in several counties in eastern Kentucky, including the area mentioned in said agreement dated May 20, 1929, but subject thereto; and

WHEREAS, by assignment, Buyer has become entitled to the rights and subject to the obligations of Utilities in said agreement dated May 20, 1929.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, Seller agrees to sell to Buyer and Buyer agrees to purchase from Seller, its requirements of natural gas in the City of Pikeville and environs during a period beginning on the 19, day of July, 1948, and ending on the 1st day of November, 1950; the terms and conditions of said sale and purchase to be the same as those set out in said agreement dated May 20, 1929, except that the price to be paid by Buyer to Seller for natural gas

MINUTES } CITY OF PIKEVILLE

shall be the price payable by warfield to Seller under the terms of said agreement dated December 31, 1930, instead of Thirteen and One-half cents ($13\frac{1}{2}$) per Thousand cubic feet as provided in said agreement dated May, 20, 1929; but not in any event to exceed twenty (20 $\%$) cents per M.C.F.

Warfield joins herein for the purpose of subordinating, and does hereby subordinate, its rights under said agreement dated December 31, 1930, to the rights of Buyer under this agreement.

IN TESTIMONY WHEREOF, the parties hereto have caused this agreement to be executed, in triplicate, by their proper officers, respectively, thereunto duly authorized,

UNITED CARBON COMPANY,

(SEAL)

ATTEST:
Arthur Henson,
Asst. Secretary.

By Oscar Nelson, President.

ATTEST:
H.S. Damron, City Clerk.

CITY OF PIKEVILLE,
By Hi Pauley, Mayor.

(SEAL)

ATTEST:
F.B. Jesser,
Asst. Secretary.

WARFIELD NATURAL GAS COMPANY,
By H.A. Wallace, President.

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, TO-WIT:

I, R.V. Sleeth, a Notary Public of said County, do certify that OSCAR NELSON who signed the writing above, bearing date the 13th day of August, 1940, for UNITED CARBON COMPANY, a corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand this 14th day of August, 1940.
My commission expires May, 2, 1945.

(SEAL)

R.V. Sleeth, NOTARY PUBLIC.

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, TO-WIT:

I, D.C. Jay, a Notary Public of said County, do certify that H.A. WALLACE, who signed the writing above, bearing date the 13th day of August, 1940, for WARFIELD NATURAL GAS COMPANY, a corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said Corporation.

(SEAL)

Given under my hand this 16th day of August, 1940,
My commission expires March, 1st 1945.

D.C. Jay, NOTARY PUBLIC.

PUBLIC NOTICE

BIDS will be received by the Board of council of the City of Pikeville, Pike County, Kentucky, for the purchase of Gas Distribution System Revenue Bonds of said City at its meeting to be held at the City Hall, Pikeville, Kentucky, on October 22, 1940, 7:30 O'clock P.M. Said bonds will be dated August 1st 1940, bearing interest payable semi-annually, maturing

\$4,000 on August 1, 1941;
\$5,000 on August 1, 1942;
\$6,000 on August 1, 1943;
\$7,000 on August 1, of each of the years 1944 to 1947, inclusive, and
\$8,000 on August 1, of each of the years 1948 to 1950, inclusive,

but with the option reserved to redeem any of said bonds as may be outstanding on any interest payment date prior to maturity in the inverse of their numbering.

MINUTES } CITY OF PIKEVILLE

upon terms equal to one-fourth of one per cent ($1/4$ of 1%) for each year or fraction thereof from the redemption date to the stated maturity date.

Each bid should specify the interest rate for the bonds upon which the proposal is made and it is to be understood that an award of a sufficient principal amount of said bonds of proportionate maturities will be made so that the proceeds thereof, exclusive of accrued interest, will be sufficient to pay the cost of acquiring the municipal gas distribution system for said City. Each proposal must be accompanied by a certified check payable to the order of the City of Pikeville, in an amount equal to not less than three per cent (3%) of the principal amount of the bonds covered by the proposal, which check of the successful bidder will be retained by the City to guarantee performance of the proposal by such bidder.

The approving opinion of Messrs. Chapman and Cutler of Chicago, Illinois, will be furnished and all bids should be so conditioned. The right is reserved to reject any or all bids.

Published by order of the Board of Council and Dated -

September, 25, 1940.

H.S. Damron, city clerk
H.S. Damron City Clerk,
City of Pikeville, Ky.

The common council ordered that the following bills and salaries be paid.

ORDERED THAT:

Charlie Ratliff be allowed the sum of \$115.00 for salary as caretaker for Sept. 1940, Payable out of Fire Dept. funds.

ORDERED THAT:

Hi Pauley; be and is allowed the sum of \$20.84. salary as Mayor, for Sept, 1940; Payable out of Officers Salary funds,

ORDERED THAT:

V:E:Bevens be and is allowed the sum of #20.84, salary as City Tresure for Sept; 1940;Payable out of Officers Salary.

OR DERED THAT:

E: E: Trivette; be alowed the sum of #80.00; for salary as Police Judge,for Sept; 1940;Payable out of Officers Salary.

ORDERED THA T:

H, S.Damron. be allowed the sum of # 75.00 for salary as City Clerk; for Sept, 1940. Payable out of Officers salary.

ORDERED THAT:

J M Auxier; be allowed the sum of #50.00 for salary as City Atty; for Sept , 1940. Payable out of Officers Salary,

ORDERED THAT:

J: H Carter, be allowed the sum of #125.00 for salary asChief of Police; for Sept; 1940. Payable out of Officers Salary.

ORDERED THAT:

Jess, Johnson, be allowed the sum of #115.00 for salary as Policeman; for Sept; 1940. Payable out of Officers Salary;

ORDERED THAT:

G:W :Young; be allowed the sum of #115.00 for salary as Policeman; for Sept ; 1940. Payable out of Officers Salary,

ORDERED THAT:

E:B?;Coleman; be allowed the sum of \$115.00 for salary as Policeman; for Sept; 1940, Payable out of Officers Salary;

ORDERED THAT

Pike Co Health; Dept; be allowed the sum of \$33.35 for rent for Office for Sept ; 1940. Pay ble out of Rental und;

ORDERED THAT

Charley Thornbury; be allowed the sum of \$5.00 for binding & fixing old Ordinance Book Pa yable out of General Fund,

ORDERED THAT:

Thos.E.Newton be allowed the sum of \$160.00 salary as Supt. of Water department Payable out of Water Dept. funds. for Sept, 1940.

ORDERED THAT:

Fern S.Wolford bw allowed the sum of \$95.00 sala ry as Clerk of Water Dept. Payable out of Water Dept. funds. for Sept. 1940.

ORDERED THAT:

Spurl Colema be allowed the sum of \$100.00 salary as helper to the Water Dept. Payable OUT of water Dept funds. for Sept. 1940.

AAG976

MINUTES } CITY OF PIKEVILLE

ORDERED THAT:

Millard Burk be allowed the sum of \$120.00 Salary as Fire Chief for September, 1940, Payable out of Water Department funds.

There being no further business before the Board, on motion duly seconded and carried,

Meeting was adjourned until Tuesday, October, 1, 1940, 7:30 P.M.

ATTEST:

H.S. Damron
H.S. Damron
City Clerk.

APPROVED:

Hi Pauley
Hi Pauley
Mayor.

* * * * *

AT A REGULAR MEETING OF THE CITY COUNCIL CONVENED AND HELD IN THE CITY HALL PIKEVILLE, KENTUCKY, TUESDAY, OCTOBER, 1, 1940, 7:30 P.M. THE FOLLOWING MEMBERS PRESENT.

Hi Pauley,	Mayor
T.J. Howell,	Councilman,
Charley Childers,	Councilman,
Charley Sowards,	Councilman,

Reading of the former minutes was omitted, and the following orders were made.

PUBLIC NOTICE,

Bids will be received by the Board of Council of the City of Pikeville, Pike County, Kentucky, for the purchase of Gas Distribution System Revenue Bonds of said city at its meeting to be held at the City Hall, Pikeville, Kentucky, on October 15, 1940, at 7:30 O'clock P.M. Said Bonds will be dated August 1, 1940, bearing interest payable semi-annually, maturing \$4,000 on August 1, 1941; \$5,000 on August 1, 1942; \$6,000 on August 1, 1943; \$7,000 on August 1, of each of the years 1944 to 1947, inclusive, and \$8,000 on August 1, of each of the years 1948 to 1950, inclusive, but with the option reserved to redeem any of said bonds as may be outstanding on any interest payment date prior to maturity in the inverse order of their numbering, upon terms equal to one fourth of one per cent $\frac{1}{4}$ of 1%) for each year or fraction thereof from the redemption date to the stated maturity date,

Each bid should specify the interest rate for the bonds upon which the proposal is made, and it is to be understood that an award of a sufficient principal amount of said bonds of proportionate maturities will be made so that the proceeds thereof, exclusive of accrued interest, will be sufficient to pay the cost of acquiring the municipal gas distribution system for said city,

Each proposal must be accompanied by a certified check payable to the order of the City of Pikeville in an amount equal to not less than three per cent (3%) of the principal amount of the bonds covered by the proposal, which check of the successful bidder will be retained by the City to guarantee performance of the proposal by such bidder.

The approving opinion of Messrs. Chapman & Cutler, of Chicago, Illinois, will be furnished and all bids should be so conditioned. The right is reserved to reject any or all bids,

Published by the order of the Board of Council, and Dated October 1, 1940.

H.S. Damron, City Clerk
H.S. Damron, City Clerk,
City of Pikeville, Ky.