

MINUTES } CITY OF PIKEVILLE

At a special meeting of the Board of Commissioners called by the Mayor, held at the City Hall on September 27, 1962 at One O'Clock P. M. at which the Mayor and all the Commissioners were present and participating the following ordinance was proposed and read by the Mayor entitled,

AN ORDINANCE IMPOSING A LICENSE FEE UPON ALL PERSONS ENGAGED IN "PICKETING" WITHIN THE CITY OF PIKEVILLE, KENTUCKY: DEFINING TERMS: PROVIDING FOR THE COLLECTION ADMINISTRATION ENFORCEMENT AND PURPOSE OF THE LICENSE FEES; PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING EFFECTIVE DATE, AND REPEALING CLAUSE.

Commissioner, E. Bruce Walters, moved the adoption of the ordinance and Commissioner, B. P. Bogardus, seconded the motion.

The roll call was as follows:

W. E. Venters	Yes
B. P. Bogardus	Yes
E. Bruce Walters	Yes
Richard Wells, Jr.	Yes

The aforementioned ordinance has been duly recorded in Penal Ordinance Book No. 1 at pages 243 & 244.

Meeting was adjourned.

ON the direction of the City Attorney *The Minutes were Amended*
 To show That the above ordinance was
 Published in the Pine County News
 ATTEST *Charles L. Huffman* Clerk
W. C. Hambley Mayor

A regular monthly meeting of the Board of Commissioners of the City of Pikeville, convened and held in the city hall on Monday, October 8, 1962 at 7:30 P.M. The following officials were present as indicated:

Mayor:	W. C. Hambley, MD	Aye
Commissioners:	Richard Wells, Jr.	Aye
	Bruce Walters	Absent
	W. E. Venters	Aye
	B. P. Bogardus	Aye

The City Clerk read the minutes of the previous regular meeting and minutes of three special meetings. Upon completion of each, the Mayor asked if there be any corrections or additions. Upon direction of City Attorney, O. T. Hinton, the last special meeting read, dated Sept. 27, 1962, should be amended to show that Ordinance adopted at that time was published in the Pike County News. City Clerk was authorized by Board to insert amendment. There being no other objections voiced, the Mayor declared the minutes approved.

City Clerk, Charles Huffman, Jr., read the following statement of revenues collected and deposited in the General Fund for the month of September, 1962:

GENERAL FUND REVENUES

PARKING METER FINES AND PENALTIES:

Parking Meters -----	\$ 2,055.38
Fines and Penalties -----	610.26

\$ 2,665.64

OTHER REVENUES:

Property Tax, Poll Tax, Bank Shares-----	6,175.92
Minimum License Fees -----	204.75
Estimated License Fees-----	269.98
Regulated License Fees -----	597.00
Police Court Fines -----	910.40

8,158.05

TOTAL GENERAL FUND \$10,823.69

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Commissioner, B. P. Bogardus, made the request that city office staff remind the Board on the day of Commissioner meeting nights. Mayor appointed City Clerk to inform each member with reminder of meeting night.

Commissioner, B. P. Bogardus requested that the City Clerk report on the License Fees. City Clerk reported that approximately 90% of the regulated license fees had been paid, and that proper forms had been sent to the license payers to enable them to file their estimated returns and pay the license fees due.

Commissioner, R. G. Wells, Jr., requested a full report on "set" and other license fees at next regular meeting.

City Attorney, O. T. Hinton, reported on an amended complaint filed in the Pike Circuit Court which attacked the validity and constitutionality of a revenue raising measure involving a payroll and occupational license tax. The suit, challenging the measure had been dismissed earlier, but the Court indicated that an amended complaint would be considered.

Hinton stated that there was nothing in the amended complaint that had not been considered earlier. He advised the City Clerk to proceed with enforcement and collections under the tax measure which went into effect July 1, 1962, until notified different or until the Court hands down a decision.

City Attorney also announced that the Court of Appeals has affirmed the judgment of Pike Circuit Court which upheld the city's annexation of territory South of Pikeville. He stated that the plaintiffs have until Nov. 17th, 1962 to file a petition for a re-hearing. Unless such petition is filed within that time a mandate will issue and the judgement will be final.

City Attorney referred to a suit filed against the City in the Pike County Circuit Court by the owner of property previously used, by arrangement with owner, as a city parking lot at the end of 2nd. street; concerning alleged damages to this property. Hinton further stated that he had filed an answer to this action.

Mrs. C. M. Trimble and her mother, Mrs. Blythe Robinson, presented to the Board a verbal complaint of damages to Mrs. Robinson's house on Jay Street, indicating that the City was at fault for said damages due to a previous broken water main and rain water caused from last blacktopping of a city street. Mrs. C. M. Trimble spoke on behalf of her mother, stating Mrs. Robinson was asking for a settlement with the city to pay for alleged damages. Mrs. Robinson quoted an approximated figure in the amount of \$50.00 to the Board for payment of some of the damages.

Upon the advice of City Attorney, the Board instructed Mrs. Robinson to file a claim with the City Clerk. Mr. Butcher was advised to investigate said claim and he and City Clerk to make a report of any findings at next regular meeting.

City Manager, W. E. Butcher, reported that city patrolman, W. E. Yost, was contacting delinquent taxpayers and that approximately \$500.00 in 1961 delinquent property taxes had been collected and that about \$2,500 in 1961 taxes is still due the City and subject to penalty and interest. He further stated a number of taxpayers (delinquents) were out of the Corporation or had moved away. The City Manager was instructed to proceed with any necessary legal action to collect the delinquent taxes and to contact City Attorney about publishing a list of delinquent taxpayers.

City Manager commented on sewage improvement plan for the City of Pikeville, informing Commissioners and Mayor that a representative from Watkins and Associates, Incorp. was expected and would be in Pikeville Oct. 10, to meet with the Board concerning the formal application for grants under the recently enacted Public Works Bill. Mr. Butcher reported that under the Public Works Bill, a city may receive a federal grant covering as much as 75% of the cost of various improvement projects when funds are available. Mr. Butcher stated the North Mayo Trail project would continue, but South Mayo would be included in Public Works application. City Manager requested that this meeting be temporarily adjourned until Wednesday night, Oct. 10, 1962, 7:30 P.M., arrival date of Watkins representative.

Mr. Butcher presented to the Board, the "Kentucky Standards of Safety", 1955 edition, which regulates structural requirements and other requirements pertaining to fire prevention and protection. He stated that about 90% of the cities in Kentucky have adopted the standards of safety. Commissioner, W. E. Venters, requested that the Commissioners study the standards of safety before acting on them. Mayor, W. C. Hambley, appointed Commissioner, B. P. Bogardus to read over the Standards and report at the next meeting with recommendation of adoption or rejection.

Commissioner, W. E. Venters, requested from City Attorney a report on case that city had appealed to Ky. Ct. of Ap. Mr. Hinton stated that the city's motion for an appeal had been granted by the Kentucky Court of Appeals. That under the present rules of procedure a motion for appeal must be supported by a printed brief similar to briefs on Appeals and such a brief was filed in this case.

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Bills paid from the proper funds for the month of September, 1962, are as follows:

GENERAL FUND:

Grant Phillips, Jr.	\$ 15.00	The Pike County News	\$ 1.50
Grant Phillips, Jr.	14.00	O. T. Hinton	301.40
Payroll & S. S. Account	3,227.21	Hurst Printing Co.	276.85
Grant Phillips, Jr.	20.00	Hall's Texaco	12.45
Grant Phillips, Jr.	20.00	John S. Petot & Co.	246.65
The Pikeville National Bank	260.00	Johnson Brothers Limestone	184.03
The Citizen's Bank	260.00	Lustra Corp. of Am.	42.83
The First National Bank	3,387.73	Pauley Lumber Co.	80.21
Pikeville Public Library	1,166.66	Pikeville Clean Towel Ser.	5.95
Lula Justice	146.00	Pike Sand Co.	105.06
Kentucky Power Co.	1,009.93	Short Drug Store	1.03
Addressograph-Multigraph Corp.	110.23	Standard Overall Ser.	36.00
Big Sandy Motor Sales	11.70	Southern Bell Telephone	11.05
Chrisman Agency	257.03	Two Way Radio, Inc.	30.00
C. & R. Office Supply	2.06	T-D Sporting Goods	8.34
Womwell Automotive Parts, Co.	33.73	The Williamson Daily News	5.50
Whizz Auto Parts Co.	82.82	Gulf Oil Corp.	396.84
Ashland Oil	463.34		
		Total General	\$12,233.13

UTILITIES OPERATING FUND:

Payroll & S. S. Account	\$ 722.53	Eagle Electric Co.	\$ 17.22
Grant Phillips, Jr.	14.12	Campbell Oil Tool Co.	131.91
Payroll and S.S. Account	595.30	Keene Garage	40.00
W. E. Butcher	16.67	Pikeville Hardware	3.71
Robert Hall Tractor Sales	4,078.83	R. T. Greer & Co.	118.56
Chrisman Agency	82.68	Riley & Scott Gas Co.	182.21
Gulf Oil Corp.	72.15	United Fuel Gas Co.	833.54
Ashland Oil & Ref. Co.	84.24	Whizz Auto Parts Co.	19.91
		W. W. Lindsey	1,617.65
		Total Utilities	\$ 8,631.23

GARBAGE DEPARTMENT:

Payroll & S. S. Account	\$ 943.94	Big Sandy Electric	\$ 18.33
Grant Phillips, Jr.	14.12	Whizz Auto Parts Co.	21.68
Payroll and S. S. Account	1,105.25	Gulf Oil Corp.	180.37
W. E. Butcher	16.66	Ashland Oil and Ref Co.	210.61
Chrisman Ins. Agency	51.40		
		Total Garbage	\$ 2,562.36

WATER & SEWER REVENUE FUND:

Payroll & S. S. Account	\$1,384.97	The Pike County News	\$ 2.00
Grant Phillips, Jr.	14.12	Hall & Jones Tractor Sales	80.00
Pikeville National Bank	3,783.18	The Reuben H. Donnelley C.	3.00
Payroll & S. S. Account	1,201.51	Pauley Lumber Co.	37.52
Phil H. Riley Co.	1,754.20	Pikeville Clean Towel	7.40
W. E. Butcher	16.67	Pikeville Hardware	28.51
Robert Hall Tractor Sales	4,078.83	Standard Overall Ser.	30.00
Kentucky Power Co.	257.89	Southern Bell Telephone	1.38
Ben Williamson & Co.	27.30	Ward Supply Co.	16.40
Chrisman Agency	55.87	Gulf Oil Corp.	72.15
The C. I. Thornburg Co.	321.65	Ashland Oil & Ref. Co.	84.24
The Calvert Chemical Co.	97.50		
Cox Auto Parts	8.96		
Chas. Sowards Hardware	14.30		
Campbell Oil & Tool Co.	174.96		
		Total Water	\$13,554.51

TOTAL ALL FUNDS

\$36,981.23

Mayor, W. C. Hambley, M.D., instructed that the meeting be reconvened Wed., Oct. 10, 7:30, City Hall. On a motion made by R. G. Wells, and seconded by W. E. Venters, the Commissioners voted unanimously to temporarily adjourn the meeting until above date, Oct. 10, 1962.

APPROVED

W. C. Hambley MAYOR

ATTEST: *Charles L. Huffman* CITY CLERK