

# MINUTES } CITY OF PIKEVILLE

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Minutes of a Special Meeting of the Board of Commissioners of the City of Pikeville.

At a special meeting held in the City of Pikeville on August 13, 1963, at which the Mayor and all the Commissioners were present and participating, W. E. Butcher, City Manager, and O.T. Hinton, City Attorney, were in attendance. Mr. Bob McAlister and Kenneth Ratliff of the firm of Persinger & Company, Accountants, were also present.

Mr. McAlister made a detailed report of delinquent property tax tickets for for the years 1959, 1960, 1961, and 1962 in connection with the audit of the City books and recommended that some action be taken to either collect or purge these delinquent tax tickets.

After considerable discussion, W. E. Venters moved that W. E. Butcher be authorized to employ some competent person to work over these lists of delinquent tax tickets with the idea of purging or exonerating those that are considered uncollectable and taking the necessary steps for those that are collectable by placing them in the hands of the City Attorney. Richard Wells seconded the motion. Upon roll call the motion was unanimously carried and it is so ordered.

O.T. Hinton reported that the firm of Persinger and Co., Accountants, had reported to him that Mr. David Authenrieth, Accountant, who had acted as auditor for the City prior to 1962, had declined to turn over to them or to the City cancelled checks, bank statements, general ledger, journal or journal entries in his possession.

After full discussion, W. E. Venters moved that O.T. Hinton be authorized to take such steps as might be necessary to obtain possession of the records mentioned above. Richard Wells seconded the motion. Upon roll call the motion was unanimously carried and it is so ordered.

*W. C. Hambley M.D.*  
Mayor

ATTEST:

*Charles L. Hoffman*  
City Clerk

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The Board of Commissioners of the City of Pikeville, Kentucky, convened in session on the 19th. day of August, 1963, at the hour of 7:30 P.M., City Hall. Delayment in regular meeting was due to lack of a quorum at regular session on August 12, 1963. Present were the Hon. W. C. Hambley, M.D., Mayor, in the chair presiding, and the following named members of the Board of Commissioners:

W. W. Venters	Aye
E. Bruce Walters	Aye
B. P. Bogardus	Aye
R. G. Wells, Jr.	Aye

The City Clerk read the minutes of the previous meetings. Upon completion, the Mayor, Dr. W. C. Hambley, asked if there be any corrections or additions. The Mayor, having no voiced objections from the Commissioners, declared the minutes approved as read.

## GENERAL FUND REVENUES FOR JULY, 1963.

Parking Meters	\$1,960.67
Parking Meter Fines & Penalties	257.52
Employee's Quarterly	15,503.48
Minimum Fees	2,008.33
Estimated License Fees	152.65
Net Profit License Fees	1,310.02
Individual	302.35
Regulated Fee	935.00
Interest	80.29
Penalty	51.67
Police Court Fines	445.20
Misc. Receipts	56.08
Total	\$ 23,063.26



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City Manger, W. E. Butcher, presented a resolution on revised plans and specifications on the water works improvements and sanitary sewage improvements as prepared by Watkins and Associates as follows:

RESOLVED that the revised plans and specifications for the Water Works Improvements and sanitary Sewage Improvements as prepared by Watkins and Associates dated August 1, 1963 and on file in the office of the City Manger, be approved and adopted by the City Commission.

Commissioner, E. Bruce Walters moved the adoption of this Resolution and Richard Wells, seconded the motion. The vote was as follows:

W. E. Venters	Aye
R. G. Wells, Jr.	Aye
E. Bruce Walters	Aye
B. P. Bogardus	Aye

Mayor, W. C. Hambley, presented and read in it's entirety the following resolution:

ACCEPTANCE OF AMENDMENT TO GRANT OFFER WHEREAS, there has been filed with the Government in behalf of the City of Pikeville, Ky. (herein called the "Applicant") an application, Project No. APW-Ky-5G for Federal assistance under the Public Works Acceleration Act, Public Law 87-658, and the United States of America, acting by and through the Regional Director of Community Facilities, has transmitted to the Applicant for acceptance a Grant Offer dated March 13, 1963, for Federal assistance in connection with the Project referred to in said application and described in said Offer; and

WHEREAS, by resolution the Applicant did accept said Grant Offer on March 19, 1963; and

WHEREAS, it is deemed advisable and in the public interest that said Grant Offer be amended; and

WHEREAS, the United States of America acting by and through the Regional Director of Community Facilities, has transmitted to Applicant an Offer to amend said Grant Offer, said Amendment to Grant Offer being dated the 2nd. day of August, 1963; and

WHEREAS, said Amendment to Grant Offer has been duly read in open meeting, fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of the Applicant's public records; and,

NOW, THEREFORE, be it Resolved by the governing body of the City of Pikeville, Kentucky, that the said Amendment to the Grant Offer, a true and correct copy of which is hereto attached, be and the same hereby is accepted without reservation or qualification.

20th Passed by the aforementioned governing body of the Applicant on the day of August, 1963.

Commissioner, E. Bruce Walters, moved the adoption of this Resolution and Richard Wells, Jr., seconded the motion. The vote was as follows:

W. E. Venters	Aye
R. G. Wells, Jr.	Aye
B. P. Bogardus	Aye
E. Bruce Walters	Aye

The Mayor presented the Amendment to Grant Offer and Exhibit B, a copy of which is attached to these minutes.

Commissioner, E. Bruce Walters, made a motion that the City Clerk, Charles L. Huffman, Jr., find out how much clothing the City Policemen have coming to them and have such clothing ordered by August 25, 1963. If they have none coming to them, the Commissioners were to be notified by letter.

Commissioner, B. P. Bogardus, moved and W. E. Venters seconded the motion, and the vote was as follows:

W. E. Venters	Aye
R. G. Wells, Jr.	Aye
B. P. Bogardus	Aye
E. Bruce Walters	Aye

O. T. Hinton made the following report and requested that they be made a part of the minutes:

On June 8, there were 156 delinquent employees reported to me and 230 delinquent individuals reported. Of the 156 employees, we found that 25 of them had either moved away or had not been employed within the City during the taxable period involved. Notices were sent to each delinquent employee on June 12 and as a result, 26 of them came in and filed the required return and paid the tax. On June 20, warrants were issued for the remaining 105. Eight of these were dismissed because they had either moved away or had not worked within the City and 97 filed returns and paid the tax and the warrants were dismissed. A total of



UNITED STATES OF AMERICA  
HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

AMENDMENT TO GRANT OFFER

Project No. AFW-KY-5G  
Water and Sewer Facilities  
City of Pikeville, Kentucky  
August 2, 1963  
Contract No. H-302-1270  
Amendment No. 1

WHEREAS, on March 13, 1963, the United States of America, Housing and Home Finance Agency, Community Facilities Administration, acting by and through the Regional Director of Community Facilities, made a Grant Offer to the City of Pikeville, Kentucky, for certain Federal assistance; and

WHEREAS, by resolution of its governing body, the Applicant did accept said Grant Offer on the 19th day of March 1963, thereby forming the present Grant Agreement between the parties; and

WHEREAS, due to a decrease in the cost of the Project, it will be necessary for the Government to reduce the amount of the Grant; and

WHEREAS, the parties to said Grant Agreement are desirous of effecting certain changes therein to accomplish the reduction;

NOW, THEREFORE, the United States of America, Housing and Home Finance Agency, Community Facilities Administration, acting by and through the Regional Director of Community Facilities, offers to amend said Grant Offer in the following respects, to wit:

1. By deleting the first paragraph of the Grant Offer and substituting in lieu thereof a new paragraph reading as follows:

Subject to the Terms and Conditions, dated 11-62, attached hereto and made a part hereof as Exhibit "A", and the Special Conditions attached hereto and made a part hereof as Exhibit "B", the Housing and Home Finance Agency, hereinafter referred to as the Government, hereby offers to make a grant of \$282,403, or 66 per cent of the eligible project cost, whichever is the lesser, to the City of Pikeville, Kentucky (herein called the "Applicant"), in order to aid in financing the construction of essential public works or facilities presently estimated to cost \$1,832,505 consisting of a sewerage system including collection interceptor, outfall lines, pumping station, force mains and sewage treatment plant; also extension to water lines, all with necessary appurtenances (herein called the "Project"); Provided, that in the event the actual eligible project cost as determined by the Government upon completion is less than \$427,900, the amount of the grant shall be reduced so that the grant amount shall not exceed the above percentage of the actual eligible project cost.

2. By revising the provisions of the Terms and Conditions (CFA-1120, 11-62) Section 21, Nondiscrimination to provide as set forth on attached Exhibit B.

This Amendment to the Grant Offer must be accepted as soon as possible.

HOUSING AND HOME FINANCE AGENCY  
Community Facilities Administration  
By Edward H. Bapst  
Acting Regional Director of  
Community Facilities



EXHIBIT B

SPECIAL CONDITIONS: - Continued

The provisions of the Terms and Conditions, (Form CFA-1120, dated 11-62)  
Section 21 Nondiscrimination, is revised to provide as follows:

"Section 21, Nondiscrimination

- (a) The Applicant shall require that there shall be no discrimination against any employee who is employed in carrying out the Project, or against any applicant for such employment, because of race; creed, color or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
- (b) The Applicant hereby agrees to the following conditions: (1) it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, paid for in whole or in part with funds obtained under the Grant Agreement, the provisions prescribed for Government contracts and Federally assisted construction contracts by Section 301 of Executive Order 10925, as amended; (2) it will assist and cooperate actively with the Housing and Home Finance Agency and the President's Committee on Equal Employment Opportunity (the "Committee") in obtaining the compliance of contractors and subcontractors with said contract provisions and with the rules, regulations, and relevant orders of the Committee; (3) it will obtain and furnish to the Housing and Home Finance Agency and to the Committee such information as they may require for the supervision of such compliance; (4) it will enforce the obligations of contractors and subcontractors under such provisions, rules, regulations and orders; (5) it will carry out sanctions and penalties for violation of such obligations imposed upon contractors and subcontractors by the Committee or the Housing and Home Finance Agency; and (6) it will refrain from entering into any contract subject to this order, or extension or other modification of such a contract with a contractor debarred from Government contracts and Federally assisted construction contracts under Part III, Subpart D of Executive Order 10925, as amended, or who has not demonstrated his eligibility for such contracts as provided in Part III of Executive Order 10925, as amended; and (7) in the event the Applicant fails and refuses to comply with its undertakings the Applicant agrees that the Housing and Home Finance Agency may cancel, terminate or suspend in whole or in part the Grant Agreement, may refrain from extending any further assistance under any of its programs subject to Executive Order 11114 until satisfactory assurance of future compliance has been received from such Applicant, or may refer the case to the Department of Justice for appropriate legal proceedings."



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\$5,518.23 has been collected to date from these delinquent employees.

Of the 230 delinquent individuals, only one stood trial and was fined. Sixteen have been granted extensions for legitimate reasons and 213 have filed the required returns and paid the tax. In all cases, interest and penalties have been collected.

We have collected a total of \$10,994.73 from individuals. Total collections from all sources to date amount to \$16,502.96.

I wish to report that I have received the full and efficient cooperation of Judge Buford Johnson; the Administrator, Charles Huffman, Jr., and Chief of Police, Joe Scott, and his staff, and feel that we have done remarkably well in handling these delinquent taxes.

I understand that that the auditors are now preparing a list of delinquent property taxpayers which is to be turned over to me and I can assure you that these will receive the same attention that we have given the occupational tax delinquents.

Commissioner, R. G. Wells, Jr., made the motion to apply to Federal Agency, Community Facilities Administration, for Federal Grant for street improvement plan. Motion was moved and seconded and the vote was as follows:

R. G. Wells, Jr.	Aye
B. P. Bogardus	Aye
W. E. Venters	Aye
E. Bruce Walters	Aye

Disbursements from the proper funds for the month of July, 1963, are as follows:

## GENERAL FUND:

O. T. Hinton	\$ 538.20	Pikeville Womwell, Co.	\$ 7.90
Mullins Garage	70.01	Point Express	24.35
John P. Young, Tax Comm.	500.00	Reynolds-Phillips Tire Co.	2.70
Kentucky Power	1,226.24	Sanfax Corp.	168.50
Adams Construction Co.	103.20	Smith's Standard Ser. Sta.	2.98
Ashland Oil & Refining	16.88	Southern Bell Telephone	133.71
Big Sandy Wholesale	106.97	Standard Overall Ser.	81.00
Chrisman Ins. Agency	441.52	T. D. Sporting Goods Co.	9.89
C. & R. Office Supply	41.90	Trasco, Inc.	19.45
Childers & Venters	4.58	Whizz Auto Parts	10.85
Cumberland Publishing Co.	130.63	Joe B. Scott, Police Chief	8.60
Hall Texaco	100.95	Payroll & S.S. Account	3,975.22
Johnson Bros Limestone, Co.	39.75	Lula Justice	130.00
Pauley Lumber Co.	246.69	Mullins Garage	56.19
Pike Sand Co.	168.00	Payroll & S. S. Account	4,051.88
Pikeville Clean Towel Ser.	6.15	Pikeville National Bank	260.00
Pikeville Public Library	691.72	Citizens Bank	260.00
Total General			\$ 13,636.61

## WATER AND SEWER REVENUE FUND:

Kentucky Power	\$1,017.40	Pikeville Clean Towel	\$ 7.50
Badger Meter Mfg., Co.	370.18	Point Express	16.50
Big Sandy Electric	2.48	Standard Oil Co.	30.01
Burroughs Corp.	125.00	Southern Bell	112.29
C. I. Thornburg Co.	236.72	Standard Overall Ser.	67.50
Chrisman Insurance Agency	102.62	Kentucky Power	678.98
C. & R. Office Supply	39.09	Grant Phillips, Jr.	4.00
Calvert Chemical Co.	97.50	Grant Phillips, Jr.	4.00
Campbell Oil Tool, Inc.	150.43	Payroll & S. S. Account	1,372.60
Chas. Sowards Hardware	16.67	Mullins Garage	20.00
Cumberland Publishing Co.	34.50	Grant Phillips, Jr.	22.02
Johnson Bros. Limestone	39.75	Joseph W. Justice	350.00
Modern Appliance Co.	35.00	Payroll & S. S. Account	1,435.97
Pauley Lumber Co.	77.50	W. E. Butcher	16.67
Pikeville National Bank	3,783.18		
Total Water			\$ 10,266.06

## UTILITIES OPERATING:

Addressograph-Multigraph	\$ 19.78	United Fuel Gas Co.	\$ 75.00
Burroughs Corp.	125.00	Southern Bell	34.15
Chrisman Ins. Agency	80.35	George Cavins	20.00
C. & R. Office Supplies	39.09	Grant Phillips, Jr.	4.00
Campbell Oil Tool, Inc.	28.17	Payroll & S. S. Account	593.81
Chas. Sowards Hardware	16.67	Rich-Mor Sales Co.	264.50
W. W. Lindsey	4,119.87	Grant Phillips, Jr.	22.03
R. T. Greer & Co.	129.80	Payroll & S.S. Account	579.29
Riley & Scott Gas Co.	390.04	W. E. Butcher	16.66
Total Utilities			\$ 6,558.21



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## GARBAGE:

Mullins Garage	\$115.58	Mullins Garage	\$ 110.00
Chrisman Ins. Agency	99.35	Grant Phillips, Jr.	22.03
Cedar Mining Co.	640.00	Payroll & S. S. Account	1,081.21
Maynard's Used Auto Parts	125.00	W. E. Butcher	16.67
Grant Phillips, Jr.	4.00		
Payroll & S. S. Account	1,163.96		

Total Garbage	\$ 3,377.80
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TOTAL ALL FUND:	<u>\$33,838.68</u>
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Upon motion and vote, the meeting was adjourned.

## APPROVED:

*W.C. Hamblin*  
MAYOR

## ATTEST:

*Charles L. Huffman Jr.*  
CITY CLERK

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Minutes of a special meeting of the Board of Commissioners of the City of Pikeville, Kentucky, held on the 20th day of August, 1963, in the City of Pikeville.

The Mayor and all Commissioners were present and participating with W. E. Butcher, City Manager, and O. T. Hinton, City Attorney, in attendance.

The Mayor announced that a joint meeting of the City Officials and Trustees of the Pikeville City School Board was held at the Star Lite Bowling Lanes on the night of August 19, 1963. The School Board requested certain action by the City embraced in the following resolution:

WHEREAS it appears that the trustees of the Pikeville City School Board have obtained an option on a tract of land on Lower Chloe Creek adjoining property heretofore conveyed to the School Board by the City with reversion to the City in case it ceases to be used for school purposes and,

WHEREAS the School Board has decided to erect a modern elementary school and facilities on this property if it can obtain the approval and assistance of the Kentucky State Authorities, and

WHEREAS it appears that it is essential to such approval that the School Board obtain fee simple title to the lot mentioned without reversion, and obtain the assurance of the City that it will make city water service as well as other city facilities available to the school property.

NOW THEREFORE, be it resolved as follows:

In the event the school board finally locates and builds its new facilities on the proposed site on Lower Chloe Creek and in order to induce it to do so and obtain approval from the State Authorities and in furtherance of the public welfare the City of Pikeville will,

(1) Convey the fee simple title, free from reversion to the property heretofore conveyed by the City to the School Board by deed dated December 14, 1959 recorded in the Pike County Court Clerk's Office, Deed Book 409, Page 145, to the School Board.

(2) Extend it's 8" water main to the School Board property line near the mouth of Lower Chloe Creek upon condition that the School Board will extend the 8" line from that point to the school site and grant the City the right to hook onto said line and use, maintain and extend it up Chloe Creek as a public utility without charges to the City for such right.

(3) Extend the City limits by annexation procedure so as to include the School Board's new site and such other property up Lower Chloe Creek as it may deem feasible so as to provide police and fire protection for such annexed territory.