

MINUTES } CITY OF PIKEVILLE

A special meeting of the Board of Commissioners of the City of Pikeville, on November 12, 1963, at which all Commissioners and the Mayor were present and participating with W. E. Butcher, City Manager, and O. T. Hinton, City Attorney, in attendance.

W. E. Butcher, City Manager, presented a letter received from Mr. John M. Yost of the Citizens Bank of Pikeville, requesting payment of the balance of the \$11,500.00 demand note executed by the City of Pikeville on which there was a balance due of \$8,093.99.

Mr. Butcher advised that this and a similar note given to the Pikeville National Bank, at the beginning of the present Administration in 1962, were given for the purpose of satisfying a note due the First National Bank of Pikeville for indebtedness created by the prior Administration of the City.

After full discussion, E. Bruce Walters, moved and Richard G. Wells, Jr. seconded, that the City Manager be directed to pay the balance due on the above mentioned note.

Upon roll call the motion was unanimously carried and it is so ordered.

W. E. Butcher also announced that the Pikeville National Bank note had been reduced to the sum of \$8,093.99 and although no demand had been made for payment he suggested that the Commissioners consider payment of this note out of the General Fund and that there were sufficient funds in this account to pay the balance due on these notes.

After full discussion, motion was made by W. E. Venters and seconded by Richard G. Wells, Jr., that the City Manager be directed to pay the balance of the note due the Pikeville National Bank, above mentioned.

Upon roll call the motion was unanimously carried and IT IS SO ORDERED.

O. T. Hinton, City Attorney, was asked to report upon the question of salaries of present and future Officials.

O. T. Hinton discussed the provisions of the Constitution and Statutes relevant to this question and specifically referred to Sections 161 and 235 of the Constitution and KRS 89.480 (2), KRS 89.410, KRS 89.090(3), KRS 64.580 and KRS 64.610, also the decisions of the Court of Appeals in the City of Pikeville against Stratton, 78 SW 2nd 12; 257 Ky. 320.

The City Attorney was of the opinion that no ordinance or resolution had been passed or adopted by the present Commissioners fixing Commissioners' Salaries, but that they had agreed to serve for the minimum of One Dollar (\$1.00) per year provided by KRS 89.480 (2), and that the Mayor had agreed to serve for an annual salary of Seven Hundred and Fifty Dollars (\$750.00) as provided by KRS 89.480 (2), which amount had been carried in the budget, which had been adopted by the present Board on two different occasions and that for all practical purposes the salaries of the Mayor and Commissioners in the present Administration, since January 1, 1962, had been treated as fixed at One Dollar per year for Commissioners and Seven Hundred and Fifty Dollars per year for Mayor.

The City Attorney also called attention to the Statutes and Constitution which prohibit any change in the compensation received by the Municipal Officials during their term of Office (Kentucky Constitution No. 161 and KRS 64.580 and also the provision of KRS 89.090 (3) applying to a Commission form of Government providing that if the salaries of the Mayor and Commissioner were not fixed by the Board as provided by KRS 89.090 (3), they shall remain the same for succeeding Officials, as the compensation of their predecessors).

The City Attorney therefore suggested that a resolution be adopted to cover this situation.

After full discussion the following resolution was offered by E. Bruce Walters;

RESOLVED that the compensation of the Mayor and Commissioners of the City of Pikeville, of the present Administration and future Administration in so far as present Administration has any authority to fix the same, is declared to be as follows:

Mayor - Seven Hundred and Fifty-Dollars (\$750.00) per year,
Commissioners - One Dollar (\$1.00) per year.

W. E. Venters seconded the motion.

Upon roll call the motion was carried unanimously and it is so declared adopted.

No further business coming before the Commissioners. the meeting was adjourned.

APPROVED:

W.C. Hamblen M.D.
MAYOR

MINUTES } CITY OF PIKEVILLE

ATTEST:

Charles L. Huffman
CITY CLERK

At a special meeting of the Board of Commissioners of the City of Pikeville, held on Tuesday, November 19, 1963, at which all Commissioners and the Mayor were present and participating, with W.E. Butcher, City Manager, and O. T. Hinton, City Attorney, in attendance.

The Mayor announced that Messrs. Bob Holcomb, C. D. Roberts, and Herman Dotson, as Representatives of Consumers Natural Gas Company, were present and desired to continue negotiations for the sale of the gas service owned by the Consumers Natural Gas Company.

O. T. Hinton, City Attorney, reported, that he had been advised by Mr. Lassig of the Watkins & Associates Engineering Office of Lexington, Kentucky, that the appraisal by the Public Service Commission had been completed with the exception of one item of real estate and that the evaluation of the Consumers Natural Gas Plant was substantially the same as the estimate submitted by the Watkins Firm and the evaluation of the Kentucky Shale portion of the system was some higher than their evaluation.

O. T. Hinton stated that in view of advice received from Watkins & Associates and the probable costs incident to a condemnation procedure, he would recommend that the offer heretofore made by the City of Two-Hundred Thirty-Five Thousand Dollars (\$235,000.00) to be increased to Two-Hundred Fifty Thousand Dollars (\$250,000.00).

Mr. Holcomb addressed the Commissioners and explained in detail the basis of their evaluation at Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) and stated that in an effort to agree on the purchase price rather than litigate the matter, they would accept Two-Hundred Fifty-Seven Thousand and Five Hundred Dollars (\$257,500.00).

After full discussion, B. P. Bogardus moved that the City increase their offer to purchase, effective the ~~1st~~ day of January, 1964, to Two-Hundred Fifty-Five Thousand Dollars (\$255,000.00).

Richard Wells seconded the motion.

Upon roll call the vote was as follows:

B. P. Bogardus	Yes
E. Bruce Walters	No, qualified with statement he was in favor of the purchase of the plant and would vote to buy for as much as \$250,000.00, and believed it could be bought for \$250,000.00.
W. E. Venters	No
R. G. Wells, Jr.	Yes
Mayor W. C. Hambley	Yes

Messrs. Roberts, Holcomb and Dotson retired to consider the matter and returned and announced they would accept the amount of Two Hundred Fifty-Five Thousand Dollars.

The Mayor announced that the motion was carried and the following resolution was offered by B. P. Bogardus, who moved the adoption and the motion was seconded by Richard G. Wells, Jr.

RESOLVED that the City purchase the entire physical assets of Consumers Natural Gas Company consisting of the system known as Consumers and the system known as Kentucky Shale, all as embraced in report of Watkins & Associates Engineers, at the price of Two Hundred Fifty-Five Thousand Dollars (\$255,000.00), to be paid for with the proceeds of Revenue Bonds and that O. T. Hinton, Attorney, be authorized and directed to proceed with the necessary steps to authorize and sell sufficient revenue bonds to provide the purchase money, the transfer to be effective as of January 1, 1964, and that he proceed to prepare the necessary contracts and papers to consummate this sale with Henry D. Stratton, Attorney for Consumers Natural Gas Company.

On roll call the motion was as follows:

B. P. Bogardus	Yes
W. E. Venters	Yes
E. Bruce Walters	No
R. G. Wells, Jr.	Yes
Mayor W. C. Hambley	Yes