

MINUTES } CITY OF PIKEVILLE

At a regular meeting of the Board of Commissioners of the City of Pikeville held on November 15, 1968 at 7:30 P.M. in City Hall the following were present:

Mayor W.C. Hambley, M.D.
Commissioners: Orville Clark
Kermit Sexton

Also present was City Attorney E.N. Venters.

Mayor Hambley presented the following resolution:

WHEREAS, by and through the Department of Housing and Urban Development, the United States has advanced on Grant to the City of Pikeville, Kentucky the sum of \$30,658.00 for plans and surveys of Urban Renewal Project number Ky R-72, contract number Ky R-72CA for C & O Railroad Urban Renewal project.

WHEREAS, the City has heretofore created the Urban Renewal and Community Development Agency of the City of Pikeville, Kentucky.

NOW THEREFORE, be it resolved that said funds of \$30,658.00 is hereby appropriated to said Agency in accordance with Kentucky Revised Statutes Applicable thereto and the City Manager and the City Treasurer are hereby directed to pay said sums to the Urban Renewal and Community Development Agency and said Agency will establish a separate account for said funds and not co-mingle same with any other city funds.

Commissioner Kermit Sexton moved the adoption of the foregoing resolution and Commissioner Orville Clark seconded the motion and upon roll call the vote was as follows:

Mayor:	W.C. Hambley	yes
Commissioners:	Orville Clark	yes
	Harry Hobson	absent
	Warren Keene	absent
	Kermit Sexton	yes

The Mayor declared the Resolution adopted.

Mayor Hambley presented the following Resolution to the Commission:

It appearing that a vacancy has occurred in the Pikeville Municipal Housing Commission due to the resignation of Walter R. Wells, and that the Mayor has appointed James B. Todd to fill vacancy as appears from an Order signed by the Mayor, which is as follows:

"ORDER"

It appearing that Walter R. Wells, heretofore appointed as a member of the Pikeville Municipal Housing Commission has resigned and will be unable to continue as a member of that Commission.

It is now ordered that James B. Todd is hereby appointed to fill the vacancy for the unexpired term of Walter R. Wells, which terminates on the sixteenth day of September, 1970.

Witness my signature this 15th day of November, 1968.

(s) W.C. Hambley
W.C. Hambley, M.D. Mayor

BE IT THEREFORE RESOLVED THAT the action of the Mayor in appointing James B. Todd to fill the vacancy is hereby approved.

Commissioner Kermit Sexton moved the adoption of the above resolution.

Commissioner Orville Clark seconded the motion.

Upon roll call the vote was as follows:

Mayor	W.C. Hambley	yes
Commissioners	Harry Hobson	absent
	Warren Keene	absent
	Orville Clark	yes
	Kermit Sexton	yes

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Mayor Hambley presented the following resolution to the Commission:

WHEREAS, the City of Pikeville has heretofore purchased a portion of its natural gas requirements from United Fuel Gas Company by an agreement dated May 1, 1964 and

WHEREAS, by order dated July 6, 1967, the Public Service Commission of Kentucky directed the transfer of United Fuel Gas Company's intrastate wholesale customers, including the City of Pikeville, Kentucky, to Columbia Gas Company, Inc., and

WHEREAS, Columbia Gas Company, Inc. has submitted to the City of Pikeville a sales agreement providing that Columbia Gas Company would sell and the City would buy a portion of the City's natural gas supply covering a period from November 1, 1968, until November 1, 1988, and thereafter from year to year, unless and until terminated by written notice given by either party.

NOW, THEREFORE be it RESOLVED that said sales agreement is hereby approved and the Mayor of the City of Pikeville is authorized and directed to sign said contract on behalf of the City of Pikeville, and the Clerk is authorized and directed to attest said sales agreement and affix thereto the seal of the City of Pikeville.

Commissioner Orville Clark moves the adoption of the foregoing Resolution and Kermit Sexton seconded the motion and upon roll call a vote was taken and the result was as follows:

Mayor	W.C. Hambley	yes
Commissioners:	Harry Hobson	absent
	Warren Keene	absent
	Kermit Sexton	yes
	Orville Clark	yes

The Mayor declared the Resolution carried.

15/ W.C. Hambley
W.C. Hambley, Mayor

Mayor Hambley presented an ordinance entitled AN ORDER AND/OR ORDINANCE ESTABLISHING A JOINT PLANNING COMMISSION FOR THE COUNTY OF PIKE, AND THE CITIES OF ELKHORN CITY AND PIKEVILLE, KENTUCKY AND TO REPEAL ALL RESOLUTIONS OR ORDINANCES IN CONFLICT HEREWITH.

Orville Clark moved the adoption of the foregoing ordinance. Kermit Sexton seconded the motion and upon roll call the vote was as follows:

Mayor	W.C. Hambley	yes
Commissioner	Orville Clark	yes
	Harry Hobson	absent
	Warren Keene	absent
	Kermit Sexton	yes

The Mayor declared the ordinance adopted.

Orville Clark moved to pay the following Model Cities bills subject to the City Managers approval:

MODEL CITY AGENCY BILLS	
Hiatt-Ford Photography	\$ 50.72
Eagle Electric Co.	6.00
Charlie/s Hardware	8.93
Miss Carole Carte	<u>35.13</u>
	\$ 100.78

Kermit Sexton seconded the motion and upon roll call the vote was as follows:

Mayor	W.C. Hambley	yes
Commissioner	Orville Clark	yes
	Harry Hobson	absent
	Warren Keene	absent
	Kermit Sexton	yes

The motion carried.

Mayor Hambley presented the following resolution:

RESOLUTION AMENDING RESOLUTION OF SEPTEMBER 20, 1968, and CORRECTING THE NAME OF URBAN RENEWAL AND COMMUNITY REDEVELOPMENT AGENCY OF CITY OF PIKEVILLE, TO URBAN RENEWAL AND COMMUNITY DEVELOPMENT AGENCY OF CITY OF PIKEVILLE, PIKEVILLE, KENTUCKY

WHEREAS, by Resolution adopted by the Board of Commissioners of the City of Pikeville on the 20th day of September, 1968, at a regular meeting of said Commissioners, the Board of Commissioners created an agency to be known as the Urban Renewal and Community development Agency of the City of Pikeville, and by error same was designated as Urban Renewal and Community Redevelopment Agency off City of Pikeville.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the City of Pikeville that the foregoing Resolution creating such agency is hereby

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amended and corrected so that the agency established shall be known and officially designated as Urban Renewal and Community Development Agency of the City of Pikeville.

Commissioner Kermit Sexton moved the adoption of the foregoing Resolution, and Commissioner Orville Clark seconded the motion and upon roll call the vote was as follows:

Mayor	W.C. Hambley	yes
Commissioner:	Harry Hobson	absent
	Warren Keene	absent
	Kermit Sexton	yes
	Orville Clark	yes

The mayor declared the resolution adopted.

/s/ W.C. Hambley
Dr. W.C. Hambley, Mayor

ATTEST:

/s/ Charles L. Huffman, Jr.
CLERK

City Attorney E.N. Venters presented the following letter and resolution to the Commission:

Burke & Justice
Attorneys at law
Pikeville, Kentucky

Mr. E. N. Venters
Attorney at Law
Pikeville, Ky.

Re: C F W Construction Company, Inc.
v. City of Pikeville

Dear Ed:

In accordance with our conversation, I now make formal written offer to settle this matter out for \$7,539.45 and costs in complete settlement of all items involved in this controversy.

You have advised me that the commission will meet on next Friday night. This offer is contingent on prompt acceptance and payment and is not negotiable.

Very truly yours,
/s/ Francis D. Burke

RESOLUTION

WHEREAS, C F W Construction Company, Inc. did by contract with the City of Pikeville construct certain sewer lines, pumping stations and water distribution system improvements, and said Construction Company and the City have been in disagreement on the amount of unpaid balance due and payable to said Construction Company, and

WHEREAS, CFW Construction Company, Inc. has filed an action in Pike Circuit Court seeking to recover from the City of Pikeville the sum of \$13,654.51 with interest from March 1, 1967, until paid, and the City has filed answer, set off and counterclaim, and

WHEREAS, C.F.W Construction Company, Inc. has made an offer to settle this matter in full for the sum of \$7,539.45 with payment of court costs to be made by the City,

NOW, THEREFORE, be it Resolved that the settlement of CFW Construction Company's claim against City of Pikeville, in connection with the aforesaid contracts for the sum of \$7,539.45 is hereby approved, and the City Manager is directed to pay said sum upon receipt of a release from C.F.W. Construction Company, Inc., of any and all claims against the City in connection with said contracts.

Commissioner NONE, moved the adoption of the foregoing Resolution, and Commissioner NONE seconded the motion and upon roll call the vote was as follows:

W.C. Hambley, Mayor
Harry Hobson, Commissioner
Warren Keene, Commissioner
Kermit Sexton, Commissioner
Orville Clark, Commissioner

The Mayor declared the Resolution adopted.

ATTEST

NONE
(Dr.W.C. Hambley, Mayor

NONE
Clerk

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-- This resolution was not adopted due to the absence of two commissioners and the City Manager. This resolution will be considered at the next regular meeting.

There being no further business the meeting was properly adjourned.
APPROVED

ATTEST:

Charles L. Huffman Jr.
City Clerk

W.C. Hambley M.D.
Mayor

There was not a regular meeting held on December 6, 1968 due to a special meeting called for December 12, 1968.

There was not a special meeting on December 12, 1968 due to the lack of a quorum.

At a special meeting of the Board of Commissioners of the City of Pikeville held on December 13, 1968 at 7:30 P.M. in City Hall the following were present:

Mayor	W.C. Hambley, M.D.
Commissioners	Orville Clark
	Warren Keene
	Kermit Sexton

Also present were City Manager, W.E. Butcher and City Attorney E.N. Venters.

The special meeting notice is entered into the minutes as follows:

NOTICE OF SPECIAL MEETING WITH THE CERTIFICATE OF SERVICE OF NOTICE OF SPECIAL MEETING ATTACHED THERETO WERE READ AND ORDERED SPREAD UPON THE MINUTES OF THIS SPECIAL MEETING AND FILED FOR RECORD

TO: W.C. HAMBLEY, MAYOR
ORVILLE CLARK
KERMIT SEXTON

HARRY HOBSON
WARREN KEENE

You are hereby notified that the Board of Commissioners of the City of Pikeville are called to meet in special session at 7:30 o'clock, P.M. on Friday December 13, 1968, at City Hall, in the City of Pikeville, Kentucky for the following purposes:

1. To consider resolution authorizing settling claim of CFW.
2. To consider and pass upon payment of bills and invoices.
3. To consider resolution notifying Watkins Associates, Inc. to proceed with planning and designing water-sewer project, Ferguson Creek area, et al.
4. To consider resolution creating Playground and Recreation Board.
5. To consider employment of personnel for Model City Agency of City.

/s/ W.C. Hambley, M.D. Mayor

I, Bob May, Chief of Police, of the City of Pikeville, Kentucky, do hereby certify that on December 13, 1968 I served in the manner provided by laying upon each of the members of said Board of Commissioners named in the foregoing Notice of Special meeting a true and correct copy of the foregoing Notice.

This December 13, 1968.
Bob May, Chief of Police

By /s/ Roger Burgess
Roger Burgess, Assistant

I hereby acknowledge receipt of copy of the foregoing Notice of Special Meeting of the Board of Commissioners of the City of Pikeville, Ky. to be held at 7:30 P.M. o'clock, Friday, December 13, 1968.

/s/ Warren Keene 6:50 PM 12-12-68
Warren C. Keene

/s/ Harry Hobson 7:00 PM
Harry Hobson

/s/ Orville Clark 8:30 AM 12-13-68
Orville Clark

/s/ Kermit Sexton 8:33 AM 12-13-68
Kermit Sexton