

# MINUTES } CITY OF PIKEVILLE

At a special meeting of the Board of Commissioners of the City of Pikeville, Kentucky, held on February 10, 1969 at 7:30 p.m. at City Hall the following were present:

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

Also present was City Attorney E. N. Venters.

Special meeting notice is 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.

## NOTICE OF SPECIAL MEETING

TO: WILLIAM C. HAMBLEY, M.D. MAYOR	
Orville Clark, Sr.	Harry Hobson
Kermit Sexton	Warren Keene

You are hereby notified that the Board of Commissioners of the City of Pikeville is called to meet in special session at 7:30 p.m. o'clock on Monday, February 10, 1969 at City Hall, in the City of Pikeville, Kentucky for the following purposes:

1. Approve invoices
2. Resolution to Watkins Engineers to proceed with contract.
3. Chloe Creek annexation ordinance.
4. Consider appropriation to Youth Activities Center.

/s/ W.C. Hambley, M.D. Mayor  
 /s/ Warren C. Keene, Commissioner  
 /s/ Harry Hobson, Commissioner

I, Bob May, Chief of Police of the City of Pikeville, Kentucky, do hereby certify that on February 10, 1969 I served in the manner provided by law 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.

Bob May, Chief of Police  
 /s/ Bob May, Chief of Police

I hereby acknowledge receipt of copy of the foregoing Notice of Special meeting of the Board of Commissioners of the City of Pikeville, Kentucky to be held at 7:30 p.m. o'clock, Monday, February 10, 1969, at City Hall.

/s/ W.C. Hambley, M.D., Mayor  
 /s/ Warren C. Keene, Commissioner  
 /s/ Harry Hobson, Commissioner  
 /s/ Orville Clark, Commissioner  
 /s/ Kermit Sexton, Commissioner

City Attorney E.N. Venters presented the following resolution to the commission:

## RESOLUTION DIRECTING ENGINEERS TO PROCEED WITH PLAN FOR WATER SEWER PROJECT NO. WS-KY-20

WHEREAS, the City of Pikeville has received a Federal Grant from the Department of Housing and Urban Development for the construction of a water-sewer project in the Ratliff, Ferguson, Lower Chloe Creeks and Harold Branch areas,

NOW, THEREFORE, BE IT RESOLVED that Watkins Associates, Incorporated, of Lexington, Ky. are hereby instructed to proceed with planning and designing of such project.

Commissioner Kermit Sexton moved the adoption of the foregoing Resolution, and Commissioner Warren Keene seconded the motion.

Upon roll call, the vote was as follows:

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

The Mayor declared the Resolution adopted.

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

ATTEST: /s/ Charles L. Huffman, Jr.  
 Charles L. Huffman, Jr. Clerk



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The City Attorney presented an ordinance known by its title or caption as:

" AN ORDINANCE ANNEXING TERRITORY ADJACENT TO THE PRESENT CITY LIMITS OF THE CITY OF PIKEVILLE SITUATED ON LOWER CHLOE CREEK, IN PIKE COUNTY, KENTUCKY, PURSUANT TO JUDGEMENT OF THE PIKE CIRCUIT COURT"

Warren Keene made the motion to adopt the foregoing ordinance. Orville Clark seconded the motion and upon roll the vote was as follows:

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

The motion carried and the Mayor declared the ordinance adopted.

Warren Keene made the motion that Police and Fire protection be provided for the annexed area on Chloe Creek. Kermit Sexton seconded the motion and upon roll call the vote was as follows:

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

The motion carried.

City Attorney E.N. Venters reported that he had received a letter from B. P. Bogardus, a local contractor, regarding the occupational license ordinance section on contractors. Mr. Bogardus stated that local contractors should be exempt from this section. After some discussion the City Attorney was instructed to proceed with the occupational license ordinance as it is and to inform Mr. Bogardus therewith.

Kermit Sexton made the motion to pay the following January invoices:

Alert Gas & Oil	\$ 570.85
American Meter	195.69
Big Sandy Electric	96.85
Big Sandy Wholesale	1,016.40
Badger Meter	613.78
Burroughs Corporation	698.00
Childers & Venters	743.55
C & R Office Supply	9.76
W. B. Call Co.	34.48
Chrisman Insurance	894.33
Call Hardware	152.13
Comet Manufacturing	4,306.84
C & O Railway	391.00
Del Chemical	2,401.16
DayCOA	302.70
East Kentucky Machine	425.44
Hall Tractor Sales	28.52
C. D. Jacobs	139.36
Everett Johnson	234.50
Lula Justice	165.00
Keene Garage	28.00
Liberty Chemical	997.25
Kentucky Power	3,893.74
Mobile Communications	162.34
Mid States Meter & Supply	114.45
Maynards Used Auto Parts	10.00
Alford Nichols	200.00
Pikeville Hardware	274.51
Pauley Lumber	367.03
Pike County Collieries	385.34
Pikeville Clean Towel	645.40
Pikeville Womwell	29.51
Potter Motor	229.18
R. E. Riley	174.01
T. E. Rogers	85.37
Radio Engineering & Sales	184.75
Southern Meter & Supply	295.92
Sutphen Fire Equipment	33.23
Sanfax Corporation	403.20
Southern Meter	990.39
Standard Oil	1,360.01
South Central Bell Telephone	286.52
Texaco	953.59
United Tailors	972.13
E. N. Venters	750.00
Howard J. Vickers	10.08
Ben Williamson Supply	612.16
Ward Supply	103.73
Whizz Auto Parts	272.98
R.H. Worden	246.40
W. W. Lindsey	2,066.25
Ridgeway, Inc.	141.60
	\$ 30,699.41



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Orville Clark seconded the motion and upon roll call the vote was as follows:

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

The motion carried.

Kermit Sexton made the motion to pay the following invoices for the Model Cities Department:

C & R Office Supply	\$ 46.39
Deborah Bozarth	37.50
W.C. Hambley, M.D. Mayor	220.00
	<u>\$ 303.89</u>

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	yes
	Kermit Sexton	yes

The motion carried.

The City Attorney presented the following report on the U.S. District Court action involving the City:

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY

United states of america	PIKEVILLE	plaintiff
VS	Order	No. 1199
JULIUS CAESAR WILLIAMSON, ET AL		DEFENDANTS

The defendant, City of Pikeville, having moved the Court to dismiss the claim alleged against it in the first count of the Complaint herein; and the Court having considered the respective memoranda filed by the parties relative to said issue and being sufficiently advised:

IT IS NOW THEREFORE ORDERED AND ADJUDGED HEREIN as follows:

- (1) The City of Pikeville is not a "person" within the meaning of the False Claim Act, 31 U.S.C. 231.
- (2) The Motion to dismiss plaintiff's complaint as to the City of Pikeville is well taken and same is hereby sustained.
- (3) The claim alleged against the defendant, City of Pikeville, in the first count of the complaint herein is hereby ordered dismissed, and the defendant, City of Pikeville, is hereby ordered stricken as a party defendant herein.

This the 23rd day of January, 1969.

/s/ Bernard T. Moynahan, Jr.,  
Judge

There being no further business the meeting was properly adjourned.

APPROVED

W.C. Hambley  
Mayor

ATTEST

Charles L. Hoffmann  
City Clerk