

## MINUTES } CITY OF PIKEVILLE

## MINUTES - MEETING OF JULY 10, 1972

At a regular meeting of the Board of Commissioners of Pikeville, Kentucky, held in City Hall, the following were present:

MAYOR W. C. HAMBLEY, M. D.  
 COMMISSIONER ROBERT AMOS, JR.  
 COMMISSIONER KERMIT SEXTON  
 COMMISSIONER FRANK JUSTICE  
 COMMISSIONER W. E. BUTCHER

The meeting opened with the reading of the minutes of the minutes of the special meeting held May 8, 1972. All minutes were approved as read with out any additions or corrections, along with minutes for May 22 & June 12.

The first item of business was a discussion on the agreement with the City employees. Commissioner W. E. Butcher made the motion that city employees be given one more paid holiday (Labor Day), and six days per year of sick leave. Collection in the first year of sick leave will be in accordance to the daily increments proportionate to the amount of time the employee worked in the year. Workers will also be given time off due to the death of any one in the immediate family, including the mother and father of the worker. Commissioner Robert Amos, Jr., seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Absent
	W. E. Butcher	Yes
	Frank Justice	Absent
MAYOR:	W. C. Hambley	Yes

Mayor Hambley presented and read:

## RESOLUTION NO. R-72-46

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PIKEVILLE TO RE-APPOINT MRS. R. H. BEVINS AND MR. ROBERT L. ROSS TO THE LIBRARY BOARD OF THE CITY OF PIKEVILLE.

The City Commissioners of the City of Pikeville deem it advisable to re-appoint Mrs. R. H. Bevins and Mr. Robert L. Ross to the Pikeville Library Board for a full four-year term in order to fill vacancies created by the expiration of the terms of appointment.

The Commissioners further deem it advisable that the Mayor of the City of Pikeville, W. C. Hambley, M. D. should be authorized to order these reappointments.

THEREFORE, THE CITY COMMISSION OF THE CITY OF PIKEVILLE HEREBY RESOLVE:

That the Mayor of the City of Pikeville, W. C. Hambley, M. D. is hereby authorized to re-appoint Mrs. R. H. Bevins and Mr. Robert L. Ross to the Pikeville Library Board to fill the vacancies created by the expiration of terms of appointment of Mrs. R. H. Bevins and Mr. Robert L. Ross; these appointments are to be for full four-year terms.

At Pikeville, Pike County, Kentucky, this the 10th day of July, 1972.

ORDER OF MAYOR

It is hereby ordered by the Mayor of the City of Pikeville, W. C. Hambley, M. D. that Mrs. R. H. Bevins and Mr. Robert L. Ross are to be re-appointed to the Pikeville Library Board to fill the vacancies created by the expiration of terms of appointment of Mrs. R. H. Bevins and Mr. Robert L. Ross and these appointees are to serve a full four-year term.

This the 10th day of July, 1972.

/s/ W. C. Hambley, M. D.  
 W.C. HAMBLEY, M.D., MAYOR OF THE  
 CITY OF PIKEVILLE

Commissioner Robert Amos, Jr., made the motion to adopt the above resolution. Commissioner W. E. Butcher seconded the motion. Upon roll call, the vote was as follows:



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COMMISSIONERS: Robert Amos, Jr. Yes  
 Kermit Sexton Absent  
 W. E. Butcher Yes  
 Frank Justice Absent  
 MAYOR: W. C. Hambley Yes

City Bills were presented in the amount of \$1,779.12.  
 Below are invoices submitted for payment for the Open Space and Development:

Stewart & Ramey	\$330.00
Everett Johnson	937.60
Pauley Lumber	12.92
Ashland Oil	344.50
Brandeis Machinery	111.31
Pikeville Hardware	5.33
Carolina Tire Co.	37.46

TOTAL \$1,779.12

Also permission to pay \$889.56 out of General Fund for half of the above invoices.

Commissioner Robert Amos, Jr., made the motion to pay said bills. Commissioner W. E. Butcher, seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS: Robert Amos, Jr. Yes  
 Kermit Sexton Absent  
 W. E. Butcher Yes  
 Frank Justice Absent  
 MAYOR: W. C. Hambley Yes

Model City Bills were submitted for approval for payment in the amount of \$6,454.23. Listed below are the Model City Invoices submitted for approval:

Pike County News	Ad for Evaluation Director	19.32
	and Day Care Center employees	
Sargents Pharmacy	Invoice No. 29	2.63
Economy Drug	Invoice No. 006079	3.68
Comprehensive Design	Invoice No. 1038	972.81
City Utilities	Service for May and June	38.52
Kentucky Power Company	Service for June, 1972	79.63
Charlie's Hardware	Invoice No. 6920	15.60
C & R Office Supply	Invoice No. 22280, 22157, 22180	
	and 21318, 22552	221.06
A.B. Dick Products	Invoice No. 13992	62.20
Pikeville Clean Towel	Invoice for June Service	3.60
Service		
France Crew	Travel to Prestonsburg to pick	15.70
	up Model City Consultant	
Pikeville College		
Demonstration Classroom	Reimbursement Request No. 2	4,112.31
Ball Park Project	Reimbursement Request No. 3	889.56
		<u>\$6,454.23</u>

Commissioner W. E. Butcher made the motion to pay said bills. Commissioner Robert Amos, Jr., seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS: Robert Amos, Jr. Yes  
 Kermit Sexton Absent  
 W. E. Butcher Yes  
 Frank Justice Absent  
 MAYOR: W. C. Hambley Yes

Manager Shortt read a letter from Carl Harmon with Watkins & Associates concerning a bill from Stokely & Associates for foundation investigation and drilling of the water tank sites on the Water & Sewer Extensions WS-Ky-20, Pikeville, Kentucky, Job No. 1666-2. Mr. Harmon stated that the report by Stokely had been included in the contract specifications submitted to the Department of Health and suggested that the City establish a construction account for the project and pay Stokely's bill. Below is the bill submitted:

## -DETAIL-

1. Engineer	7 hrs. @ \$12.00	84.00
*2. Rock Core	115.7 ft. @ 7.00	809.90
3. Travel Time		
** a. Driller # 1	34½ hrs @ \$4.50	155.25
** b. Driller # 2	34½ hrs @ 4.50	155.25



NOTES :

- Commissioner W. E. Butcher made the motion to pay said bill from the General Fund - Capital Fund, to be paid back from the Water and Sewer Construction Fund when the water and sewer bonds are sold. Commissioner Robert Amos, Jr. Seconded the motion. Upon roll call, the vote was as follows:

Jack Farley, Executive Secretary of the Pike County Chamber of Commerce, came before the Commission and brought the Commission up to date on the Airport Project. He stated that the Board was trying to obtain the Delman Tackett Property to further promote the airport. This would be an extension of the runway and the instrumentation necessary for approach. All offers have been refused. Mr. Farley stated that an appraiser was going to appraise the property and a formal bonified offer would be made on behalf of the Airport Board after said appraisal. If they refuse the offer made, the Board will begin condemnation proceedings. Mr. Farley also brought the Commission up to date on the financial state of the Airport Project and asked the Commission to authorize Manager Shortt and the City Clerk to allow \$10,000.00 out of the Budget for the Airport Board. Commissioner W. E. Butcher made the motion to direct the City Manager to transfer one-half of the appropriation of \$10,000.00 to the Airport Board now, and the other one-half when they have condemnation or acquisition of the remaining properties for the construction. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

The Commission discussed the paving of Coal Hollow. Manager Shortt said John Cline informed him that this was to be done as compensation on various easements and leases. After a discussion, the Commission informed Manager Shortt that if a road is a dedicated public way, the most the City could do in a situation such as this, is to re-gravel the road and make it the way it was before.

Manager Shortt read a letter from YOUNG & WILLIAMS, Frankfort, Kentucky:

Hon. Marrs Allen May  
Ward Building  
Pikeville, Kentucky

In Re: City of Pikeville Vs. Columbia Gas of Kentucky

Dear Marrs:

In order to preserve the right to appeal the decision of the Public Service Commission I filed a Petition for Rehearing which was summarily overruled by the Commission and am now undertaking to file the complaint in the Franklin Circuit Court.

The appeal of this case will involve the preparation of briefs for the court of appeals and because of the unique nature thereof I will move the Court for oral argument. Normally on an appeal of this nature we undertake the payment of all of the costs incurred in the appeal, including the



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printing of a brief and subsequently bill that to our client along with our legal fee. It is my considered opinion that the total cost would amount to no more than \$1,200.00. We will eventually have to have a supersedeas bond and I would naturally expect the City to bear that expense; however, I feel that the bond will be quite reasonable and therefore not too expensive. I will forward you a copy of the complaint appealing the decision upon its filing.

Very truly yours,  
/s/ James L. Williams  
Young & Williams  
Attorneys at Law  
314 Wilkinson Street  
Frankfort, Kentucky

JLW/br

Commissioner Kermit Sexton made the motion to authorize James L. Williams to follow up on the gas appeal. Commissioner W. E. Butcher seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Frank Justice	Absent
MAYOR:	W. C. Hambley	Yes

Manager Shortt asked the Commission to hire Henry Martin to work on the Ball Park Project. Manager Shortt stated that there was 2 miles of pipe to be put in. Commissioner Kermit Sexton made the motion to hire Henry Martin on a weekly basis at \$150.00 per week, and if the work is satisfactory to continue employment, but said employment is not to exceed 60 days. Commissioner W. E. Butcher seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Frank Justice	Absent
MAYOR:	W. C. Hambley	Yes

The Commission discussed the raises given to Roberta Davis and Ella Louise Mullins. Manager Shortt said he had discussed the matter with the City Attorney and that the raises given were illegal, due to the fact that they were more than the 5½% allowed by law. Commissioner Kermit Sexton made the motion to rescind the raises and get back to the 5½%, which is the legal standing, and to allow Ella Louise Mullins, Assistant City Clerk, \$10.00 as compensation for each Commission Meeting. Commissioner W. E. Butcher seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Frank Justice	Absent
MAYOR:	W. C. Hambley	Yes

Manager Shortt presented the Commission with a Pension Plan presented to him by Lonny R. Johnson from Occidental Life Insurance Company of California. There was no discussion on this plan.

The Commission discussed allowing taxis to park on meters for a flat rate of \$12.00 per month. No action was taken.

Commissioner W. E. Butcher made the motion to adjourn. Commissioner Robert Amos, Jr., seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Frank Justice	Absent
MAYOR:	W. C. Hambley	Yes

MEETING ADJOURNED.

ATTEST:

APPROVED:

CHARLES L. HUFFMAN, JR., CITY CLERK

By W.C. Hambley Jr.  
W. C. HAMBLEY, MAYOR