

MINUTES } CITY OF PIKEVILLE

MINUTES - JULY 23, 1973

At a regular meeting of the Board of Commissioners of the City of Pikeville, Kentucky, held in City Hall on July 23, 1973, at 7:30 P.M., the following members were present:

COMMISSIONERS: Robert Amos, Jr.
Kermit Sexton
W. E. Butcher
Thomas Howell
MAYOR: W. C. Hambley

The meeting was called to order at 7:50 P.M.

The meeting opened with Chester Smith of the Community Service Commission saying that the Executive Committee had met and would recommend to the Commission that the 4th Action Year Program be approved as presented.

R-73-31 was then presented and read:

**RESOLUTION APPROVING THE SUBMISSION FOR
APPROVAL OF THE ATTACHED FOURTH YEAR ACTION
BUDGET REVISION TO THE DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

WHEREAS, the City Commissioners of the City of Pikeville deem it necessary to approve submission for approval to the Department of Housing and Urban Development the attached revised budget for Fourth Year Action Program.

That the Mayor of the City of Pikeville, W. C. Hambley, M. D., should be authorized to subscribe and execute this budget revision for and in behalf of the City of Pikeville and the City Demonstration Agency.

WHEREAS, budget revision is hereby submitted, dated the 23rd day of July, 1973.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSIONERS FOR AND IN BEHALF OF THE CITY OF PIKEVILLE AND THE CITY DEMONSTRATION AGENCY DOES HEREBY APPROVE:

1. Submission for approval of the Fourth Year Action Budget Revision; a copy hereby attached to.
2. That the Mayor of the City of Pikeville, W. C. Hambley, M.D., is hereby authorized to subscribe and execute this Revision.
3. An emergency exists; THEREFORE, this RESOLUTION shall be in full force and effect immediately upon subscription and approval by this Commission.

At Pikeville, Pike County, Kentucky, this the 23rd day of July, 1973.

The Mayor declared the Resolution adopted.

/s/ W. C. Hambley, M. D.
W. C. HAMBLEY, M. D. MAYOR

ATTEST:

/s/ Charles L. Huffman, Jr.
CHARLES L. HUFFMAN, JR.
CLERK

* Attachments referred to in the above resolution on file in City Clerk's Office.

Commissioner Kermit Sexton made the motion to adopt the foregoing resolution. 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
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

The Commission asked William Turner, Director of Model City Agency to see if some money could be allocated for Sidewalk Construction.

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Lottie Mullins of Harold's Branch came before the Commission. Mrs. Mullins said she had given an easement for a tank site, but Philpot Welding had moved in, broken her gate, gate post and thrown her fence into the hollow. She stated that they had only been on her property one day and had ruined it and she wanted something done about it. She said they had installed a 10" drain where a 30" drain was needed. After discussing the matter, it was decided that Commissioner W. E. Butcher and Robert Amos, Jr., go check into the situation and make Philpot Welding do something about it.

A Lease was presented to the Commission by Lena Porter, Public Librarian. The Lease was between Franklin Day, Walter P. Walters, Sr., and William J. Baird, Jr., Co-Trustees of the Estate of Kelly J. Day, referred to as Lessors, and Pikeville Free Public Library, an agency of the City of Pikeville, Party of the second part, referred to as Lessee.

(Lease on file in City Clerk's Office)

Mayor Hambley read the lease and acknowledged it in order to let the Commission be aware of the lease and inform them of the restrictions.

Model City Bills were presented in the amount of \$29,203.08. Listed below are the invoices presented:

Pikeville College for Demonstration Classroom Project	Request No. 1	\$ 5,800.16
Pikeville College for Demonstration Classroom Project	Request No. 2	22,383.37
Rescue Squad Equipment Acq.	Request No. 3	262.94
C & R Office Supply	Invoice # 21664 # 21838	11.61
City of Pikeville	Workmen's Compensation On Model City Employees	<u>745.00</u>
		\$29,203.08

Commissioner Robert Amos, Jr., made the motion to pay these invoices. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

Shorty Cole, Constable of District 1, asked the Commission about the curfew law. Assistant Police Chief, Roger Burgess, said the Police had stopped blowing the whistle several years ago because it disturbed patients in the hospital. The Commission instructed the City Counsel to check the ordinance on curfews and make the necessary changes in order to meet with the City's present needs.

George Thornbury of the Historical Society again asked the Commission about providing free services to the club. The City Attorney said he had checked into the matter and that in order to provide such a service, the Club must be for the public welfare, benefit, protection or health of a community. The City Attorney informed Mr. Thornbury that it might could be worked out if the City would establish a museum and delegate it to the Pike County Historical Society and pay them to maintain it. No further action was taken on the matter and no definite decision was reached.

ORDINANCE 73-24-0 was presented and read entitled:

ORDINANCE DECLARING CENTRAL AVENUE TO BE
ONE-WAY STREET

* Ordinance on File in Ordinance Book No. 2 in City Clerk's Office.

Commissioner Robert Amos, Jr., made the motion to adopt the ordinance. 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
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

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Mayor Hambley read the following letter from **Robert C. Johnson:**

July 23, 1973

W. C. Hambley, M.D., Mayor
 Dr. T. H. Howell, City Commissioner
 Kermit Sexton, City Commissioner
 W. E. Butcher, City Commissioner
 Robert Amos, City Commissioner

Gentlemen:

Submitted herewith, certified for payment, are relocation claims for Alford and Faye Nichols, Box 379, Pikeville, Kentucky. These people are residents of the Cedar Creek Area and are entitled to relocation benefits for tenants as follows:

Fixed Moving Expense (Home)	\$170.00
Dislocation Allowance	200.00
Incidental Expense	12.50
Down Payment	3,100.00
TOTAL	\$3,482.50

The above represents the major portion of their relocation entitlement; however, there will be moving expense and further incidental expenses involved in the relocation of his farming operation to be certified and approved at the time that move takes place.

If you have any questions, please contact either Mrs. Betty Stone, Relocation Coordinator, or R. C. Johnson at our office.

Very truly yours,

/s/ Robert C. Johnson

Robert C. Johnson
 Executive Director

Mayor Hambley stated that this is an eligible item and is reimburseable. Commissioner W. E. Butcher made the motion that the City Clerk be authorized to transfer the sum of \$3,482.50 from the **General Fund - Capital Fund** to pay this amount to Urban Renewal. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

Resolution R-73-32 was presented and read entitled:

RESOLUTION ESTABLISHING RE-LOCATION CEMETERY

WHEREAS, in connection with the Cut Through Project of the City of Pikeville, Kentucky, it was necessary to re-locate certain cemeteries located in Poor Farm Hollow, and

WHEREAS, an action has been filed in the Pike Circuit Court seeking approval of such re-location, and

WHEREAS, the Pike Circuit Court has entered a Judgment wherein it was directed that the City Of Pikeville obtain a suitable re-location site for the cemeteries removed from the Cut Through Area,

NOW THEREFORE BE IT RESOLVED that the following described area be designated as a public cemetery for the purpose of re-location of the graves removed by virtue of the Cut Through Project:

A parcel of land in Poor Farm Hollow, a tributary of Levisa Fork, In Pikeville, Pike County, Kentucky.

Generally described as being 1300 feet upstream from the mouth of Poor Farm Hollow or 100 feet upstream from the Mary Calvert Building and lying on the left bank ascending.

More particularly described as:

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BEGINNING at a point with coordinates north 432358, east 2932104.6, Kentucky State Plane Coordinate System, south zone, said point also being the north corner of the parcel; thence south 30° West 270 feet to a point; thence south 60° East 300 feet to a point; thence north 30° East 270 feet to a point; thence north 60° West 300 feet to the point of BEGINNING. The above described parcel contains 81,000 square feet or 1.8595 acres.

An emergency is declared to exist in regard to this Resolution, and the same shall be in full force and effect immediately upon subscription and approval by this Commission.

The Mayor declared the Resolution adopted.

/s/ W. C. Hambley, M. D.
W. C. HAMBLEY, M. D., MAYOR

ATTEST:

/s/ Charles L. Huffman, Jr.
CHARLES L. HUFFMAN, JR.
CITY CLERK

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

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

Commissioner Robert Amos, Jr., made the motion to have the City Manager advertise for bids for reinterment of bodies from the Poor Farm Hollow Gravesites to the established cemetery relocation site. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

An expense account was presented for the second time for **Troy Bevins**, Civil Defense Director, in the amount of **\$278.91**. Mayor Hambley said the expense account was still not broken down as to actual expenses and the cost for transporting the material. The Commission discussed the matter and Manager Shortt said Charles Huffman, City Clerk, had said the account was okay as submitted. Commissioner Robert Amos, Jr., made the motion to pay this expense account. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

* The Commission instructed the Assistant City Clerk to make a notation that Charles L. Huffman, Jr., City Clerk, had approved the bill before it was submitted to the Commission.

* The City Clerk stated he would approve \$50.00 - according to the City's existing action on January 22, 1972.

City Bills were presented in the amount of **\$31,040.92**.

Alert Oil & Gas Company	\$	127.05
Ashland Petroleum Company		647.95
Adams Concrete Products, Inc.		1,042.89
Ayers Shortt		167.27
B. & H. Tennessee, Inc.		444.40
Big Sandy Electric & Supply Co.		100.21
Big Sandy Gas Transmission Co.		1,135.08
Big Sandy Wholesale Company		48.79
Blackburn's Ashland Service Station		32.13
Burroughs Corporation (Business Machines)		15.50
Burroughs Corporation (Business Forms & Supplies)		243.30

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Bruce Walters Ford Sales	\$ 268.38
Bob's Chain Saw	38.10
Brock - McVey Company	150.82
C.D. Jacobs	93.58
C. I. Thornburg Company	627.04
C. & R. Office Supply	290.03
Campbell Oil Tool, Inc.	267.90
Chrisman Insurance Agency	111.00
Colley Block Company, Inc.	55.13
Columbia Gas of Kentucky	494.59
Cox Auto Parts	6.91
Duncan Industries	248.75
Deskins Motor Company	13.29
Don Bush	45.00
Everett Johnson	1,201.95
Eagle Electric Company, Inc.	106.55
George Thornbury	64.42
Gulf Oil / Coleman Oil Co., Inc.	69.40
Hobbs Ashland Service	54.68
Heath Company	2,312.37
Hoovers Discount Store	13.52
R. H. Hobbs & Co.	10.39
Farmers Feed & Supply Co.	379.77
Joe's Standard Service	6.00
John G. Horne & Associates	1,305.40
John Perry Supply	179.70
John Paul Blair	5.50
James Lockhart	50.00
John Conti	17.35
Keene Garage	31.37
Kentucky Power Company	3,561.62
Kelsey Tire Company	350.82
Norton Floral	24.46
Law Library	552.50
Liberty Mutual Insurance	975.00
Mid - States Meter & Supply Co., Inc.	385.14
Matthew Bender	15.90
M. Berger Company	111.00
McJunkin Corporation	231.36
Pauley Lumber Company	255.54
Pike Automotive Supply, Inc.	556.99
Pikeville Hardware	350.15
Pikeville College	72.79
Pikeville Clean Towel Service	556.70
Pikeville Ready Mix	468.75
Pike County Civil Defense	466.90
Pikeville United Service	20.21
Roberts & Holcomb Enterprises	2,766.42
Refund: Walter Ray Tucker	3.75
Riley & Scott (City Park Well)	284.00
Riley & Scott (Yost Well)	81.00
R. H. Worden	641.55
Ruby Riley	252.00
R.V.M. Company, Inc.	363.51
Sears, Roebuck & Co.	20.27
Southeastern Stationery & Office Supply	14.72
Standard Oil Company	609.69
Southern Meter & Supply Co., Inc.	112.26
South Central Bell	374.99
Scott Gross Co., Inc.	27.10
Shivel Drug Store, Inc.	1.54
Stewart & Ramey Construction Co.	90.00
United Tailors, Inc.	1,205.09
W. W. Lindsey	1,258.75
Watkins & Associates	1,282.37
Whizz Auto	5.92
Womwell Auto Parts	23.63
Water & Sewage Works	15.00
Xerox Corporation	99.07
Robert Amos, Jr.	5.00
TOTAL	\$ 31,040.92

Commissioner W. E. Butcher made the motion to pay the invoices as submitted above with the exception of **John G. Horne & Associates'** invoice and **Watkins and Associates'** invoice. The total amount approved was **\$28,453.15**. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

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Commissioner Robert Amos, Jr., made the motion to pay **Roberts & Holcomb's** bill for this month, but not to pay them anything in excess of the old rate until a new rate is established. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

An easement agreement was read. The easement was between **Herman West & Jessie West** and the **City of Pikeville** for the amount of **\$525.00**. Commissioner Kermit Sexton made the motion to authorize the City Clerk to write a check for this amount when the easement is signed. 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
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

A proposal was submitted by Bobby Justice, Utility Superintendent, for the Water, Gas & Sewer Services for **Jonah Williamson** of Chloe Creek. Commissioner Robert Amos, Jr., made the motion that the City take the water line and gas line to the meter at the property line of Jonah Williamson. This would cost the City approximately **\$603.00** for Water and **\$396.97** for gas. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

The Commission said he would have to pay for his sewer line.

Commissioner Robert Amos, Jr., made the motion that the City Clerk be directed to pay to the Pike Circuit Court Clerk the sum of **\$100.00** as the amount set out in the Commissioner's Report in the Case of **Pikeville vs. Allie Trigg King**. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

The following ordinance was presented by the City Attorney:

73-25-0

AN ORDINANCE PROVIDING FOR ANNEXATION OF THAT CERTAIN AREA CONTIGUOUS WITH THE CITY LIMITS OF PIKEVILLE, KENTUCKY WHICH IS INCLUDED IN THE PIKEVILLE CITY INDEPENDENT SCHOOL DISTRICT LYING SOUTH OF PIKEVILLE AND ADJACENT TO U. S. HIGHWAY 23

Ordinance on file in Civil Ordinance Book No. 2 in the City Clerk's Office.

The City Attorney informed the Commission that the ordinance must be passed again because he did not file the Annexation Suit within the 30 days after the adoption of the ordinance as required by the Kentucky Revised Statutes. Commissioner Kermit Sexton moved to pass the ordinance. 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	No
	Thomas Howell	No
MAYOR:	W. C. Hambley	Yes

RESOLUTION R-73-33 was read entitled:

RESOLUTION APPROVING CONTRACT WITH COMMONWEALTH OF KENTUCKY, DEPARTMENT OF TRANSPORTATION

WHEREAS, it is necessary in connection with the reconstruction of the Jenkins - Pikeville Road to relocate certain gas and water line facilities, and

WHEREAS, said relocation is to be done according to certain specifications, and

WHEREAS, said relocation is to be accomplished by the City at the cost of the Commonwealth of Kentucky, Department of Transportation, and

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WHEREAS, it is necessary to enter into an Agreement as to the specifications, conditions and reimbursement,

NOW THEREFORE BE IT RESOLVED that Mayor W. C. Hambley, M.D., be and he hereby is authorized to execute an Agreement with the Commonwealth of Kentucky, Department of Transportation, Bureau of Highways, a copy of which is attached hereto and made a part hereof on behalf of the City of Pikeville, Kentucky.

An emergency is declared to exist in regard to this Resolution, and the same shall be in full force and effect immediately upon subscription and approval by this Commission.

At Pikeville, Pike County, Kentucky, this 23rd day of July, 1973.

The Mayor declared the Resolution adopted.

/s/ W. C. Hambley, M. D.
W. C. HAMBLEY, M. D., MAYOR

ATTEST:

/s/ Charles L. Huffman, Jr.
CHARLES L. HUFFMAN, JR.
CITY CLERK

*** Agreement on file in City Clerk's Office.**

Commissioner Robert Amos, Jr., made the motion to pass the above resolution. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

The City Attorney asked the Commission their opinion on joining the protestants against the Columbia Gas Increase. The City Attorney said the total cost would be \$7,000.00 and the City would have to pay its pro-rata share if it decided to join the protestants. The Mayor instructed the City Manager to get the petition and find out what the new gas rate would be and then the Commission would determine if it would cost more to protest than it would to go ahead and pay the increase.

Commissioner Robert Amos, Jr., made the motion to advertise for bids for a cash register for the Utility Office. Commissioner Kermit Sexton seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

Jeff Owen, a property owner, discussed the installation of Water and Sewer Lines on Fairview. Mayor Hambley asked him to give the Commission a price on an easement, but no decision could be reached.

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

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	Yes
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	Yes

MEETING ADJOURNED.

APPROVED:

W. C. Hambley M.
W. C. HAMBLEY, M. D., MAYOR

ATTEST:

CHARLES L. HUFFMAN, JR.
CITY CLERK