

MINUTES } CITY OF PIKEVILLE

AUGUST 13, 1973

At a regular meeting of the Board of Commissioners of the City of Pikeville held in City Hall on August 13, 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 7:37 P.M.

The meeting began when Albert Bartley, a resident of Third Street, appeared before the Commission. Mr. Bartley said he had a permit to tear down a building on his property and to build another building on the same ground, but had been told he could not do this because of a complaint from a resident in this area. The Commission discussed the matter with Mr. Bartley and George Thornbury, Codes Inspector. Commissioner Robert Amos, Jr., made the motion that Mr. Bartley be allowed to replace his building using the same permit he now has. 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

Charles Lowe, Sr., an attorney representing the residents of Yorktown who do not want to be annexed, came before the Commission and asked for a vote to rescind the ordinance annexing Yorktown and to direct the City Attorney to dismiss the Annexation suit. After a lengthy discussion between members of the Commission and residents of Yorktown, Commissioner W. E. Butcher made the motion that the ordinance previously passed annexing Yorktown be rescinded and that the City Attorney be directed to dismiss the suit annexing Yorktown. 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	No

Oliver Blackburn, Leonard Thompson and Charlie Vanhooose, all residents of Coal Run, asked the Commission to rescind the ordinance annexing the area from the present City Limits on North Mayo Trail to what is known as the Charlie Vanhooose Property, and to direct the City Attorney who filed the suit to dismiss the case. Commissioner W. E. Butcher made the motion that the City Attorney who filed the suit be directed to dismiss the suit annexing this area and that the ordinance previously passed annexing the area be rescinded. Commissioner Thomas Howell seconded the motion. The Commission discussed the matter for approximately 35 minutes. After several requests, the Mayor still would not ask for a roll call and further discussion followed. The City Attorney advised the Commission in order to get a roll call on the above motion and second, a Commissioner must move the previous question.

Commissioner W. E. Butcher then made the following motion: "I move the previous question." Commissioner Thomas Howell seconded the motion. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	No
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	No

The City Attorney informed the Mayor that he must ask for roll call on the above annexation. The Mayor then asked for roll call. Upon roll call, the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Kermit Sexton	No
	W. E. Butcher	Yes
	Thomas Howell	Yes
MAYOR:	W. C. Hambley	No

MINUTES } CITY OF PIKEVILLE

A Petition was presented by the property owners of Williams Hollow on Ferguson Creek signed by 17 families requesting City water and sewage. Mayor Hambley said he didn't know if the City could afford to extend the water line or not, but it could not consider sewage outside the City Limits. Commissioner W. E. Butcher made the motion to ask engineers to provide the City with an estimate on the cost of extending the water line to accomodate residents of Williams Hollow. 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 discussed Fairview again. Mayor Hambley asked Jeff Owens, a property owner in this addition, if he had talked with either of the three residents of this area in regard to selling their property. Mr. Owens said he thought the property could be purchased for approximately \$13,000.00. The Commission decided that it would be best to set up a meeting with the property owners and discuss an exact price. Mike Cornett said he would set up the meeting and call each of the Commissioners.

Shorty Cole, Constable of District 1, again came before the Commission and asked that a curfew law be passed and enforced. Commissioner Kermit Sexton made the motion to enforce the curfew law the City now has, to blow the whistle each night and to give persons affected by the law one hour from the time the whistle blows to get off the street. 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 Assistant City Clerk was instructed to make a copy of the old ordinance and have it published in the newspaper.

Odell Rogers, a Volunteer Fireman for the City of Pikeville, served as spokesman for all Volunteer Firemen when he asked that they be excused from the delinquent occupational license fees as well as all future fees. The City Attorney advised that the City could not grant this because it would then be classified as a discriminatory tax. Mr. Rogers then asked that the firemen be raised. After a short period of discussion, Commissioner Kermit Sexton made the motion to raise all volunteer firemen \$1.00 per fire drill. 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

* The Mayor noted that the Volunteer Firemen are still responsible for their delinquent taxes as well as all future taxes.

The City Attorney also reported that Bob Holcomb of Roberts & Holcomb, and City Attorney Henry Stratton, were at the point of agreeing on a gas rate price and should have a definite agreement by the next Commission meeting.

City Attorney May reported that he had checked out the situation of Columbia Gas' Increase and had looked into how much expense the City would incur in sharing the \$7,000.00 cost of protesting. Mr. May said the only other party intervening in the suit was the Attorney General's Office. The Commission decided not to share this expense.

Commissioner Amos brought up William Turner, Jr.'s delinquent utility bill in the amount of \$1,015.43. Mr. Turner said he would make arrangements to pay this by the 20th of this month if at all possible.

R-73-34 was presented entitled:

**A RESOLUTION AUTHORIZING THREE CDA STAFF MEMBERS
TO SIGN PAYMENT VOUCHER ON LETTER OF
CREDIT**

The City Commission of the City of Pikeville deems it advisable to authorize the City Demonstration Agency to have three (3) staff members to sign payment vouchers on Letters of Credit.

MINUTES } CITY OF PIKEVILLE

WHEREAS, the City Commission recognizes the need of the authorization of three (3) CDA staff members to sign payment vouchers on Letters of Credit.

WHEREAS, in order for the payment vouchers on Letters of Credit to be executed when they are received these signatures must be attached.

WHEREAS, this Resolution rescinds a previous resolution dated the 25th day of October, 1971 in the designation of Burl T. Moore, Fiscal Officer, as the third signature on payment vouchers on Letters of Credit.

WHEREAS, the following three (3) CDA staff members, William Turner, Jr., Director; Mary Lou Draughn, Deputy Director; and Sue Pugh, Bookkeeper, be authorized to sign payment vouchers on Letters of Credit.

THEREFORE, THE CITY COMMISSIONERS OF THE CITY OF PIKEVILLE DO HEREBY RESOLVE:

1. That William Turner, Jr., Director; Mary Lou Draughn, Deputy Director; and Sue Pugh, Bookkeeper, shall be authorized to sign payment vouchers on Letters of Credit at anytime it is necessary for execution of said payment vouchers.

2. An emergency exists; THEREFORE, this RESOLUTION shall be in full force and effect immediately upon subscription and approval by the Board of Commissioners.

At Pikeville, Pike County, Kentucky, this the 13th day of August, 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

Commissioner Kermit Sexton made the motion to approve the above resolution, providing a letter is presented from H.U.D. stating that the present fiscal management of the Model City Agency is approved by H.U.D. Commissioner Thomas Howell 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

Model City Bills were presented in the amount of \$34,455.25.

A.B. Dick Products Company	Inv. # H-23639	\$ 38.60
Harry T. Bradley	Williamson Daily for July	2.30
Gregg Burnette	Courier Journal for July	3.20
C & R Office Supply	Inv. # 21929	12.85
City Utilities Dept.	Serv. for July	11.17
Ed Hellier	Office Rent to 8/15/73	150.00
J.E. Hellier	Office Rent to 8/15/73	150.00
Kentucky Power Company	Serv. for July	71.66
Pikeville Clean Towel Serv.	Serv. for July	4.10
Postmaster	200 stamps @ .08¢ ea.	16.00
Postmaster	Postage necessary to mail	
	1,650 newsletters @ 4.8¢ ea.	79.20
South Central Bell Telephone	Serv. for July	213.30
Xerox Corporation	Inv. #018156028	
	Inv. #100211282	44.48
Joan Johnson	Travel Exp. to Paintsville	9.00
Burl T. Moore	Travel Exp. to Richmond	64.18
William Turner, Jr.	Travel Exp. to Frankfort	
	June 27, July 19 & July 31	233.21
National Model Cities	Membership Dues for Fiscal Year '74	
Directors Association		400.00
Eastern Ky. University	Exemp. Vo. Ed. Reimb. # 3	20,000.00
City of Pikeville	Sidewalk Const. Reimb. # 4	8,970.00
Pike County 4-H Council	Summer Day Camp. Reimb. # 1	888.61
Urban Renewal Agency	Relocation Serv. for July	19.39
Citizens Reimbursement	Expenses per attached list	74.00
M.C. Day Care Board	Child Care Proj. Reimb. # 14	3,000.00
	TOTAL	\$34,455.25

MINUTES } CITY OF PIKEVILLE

Commissioner Kermit Sexton made the motion to pay these bills, contingent on the letter from H.U.D. 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	Yes
MAYOR:	W. C. Hambley	Yes

Resolution R-73-35 was presented entitled:

RESOLUTION APPROVING CONTRACT FOR GRANT

WHEREAS, the City of Pikeville, Kentucky, has applied for certain funds through the Open Space Program, and

WHEREAS, in connection therewith it is necessary to enter into a contract with the Department of Housing and Urban Development, and

WHEREAS, a contract has been submitted to the City of Pikeville, Kentucky, for its execution,

NOW, THEREFORE, BE IT RESOLVED that Mayor W. C. Hambley be, and he hereby is, authorized to execute that certain contract, a copy of which is attached hereto and marked Exhibit "A" for identity and incorporated as a part hereof by reference, 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, 13th day of August, 1973.

The Mayor declared the resolution adopted.

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

ATTEST:

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

Exhibit "A" on file in City Clerk's Office. Attorney's opinion also on file in City Clerk's Office.

Mayor Hambley noted that the same Open Space Depository should be used.

Commissioner Kermit Sexton made the motion to adopt this 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

Estimate No. 8 for **Mays Construction Company** in the amount of **\$50,557.50** was presented.

(Estimate on file in City Clerk's Office)

Commissioner Robert Amos, Jr., made the motion to approve payment of this estimate. Commissioner Thomas Howell 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

Estimate No. 3 for Philpot Welding was presented in the amount of **\$27,288.00**. Commissioner Robert Amos, Jr., made the motion to pay this amount. 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

(Estimate on file in City Clerk's Office)

MINUTES } CITY OF PIKEVILLE

The only bid received on cash registers was from **N.C.R.** The bid was as follows:

Model 230-120 Electronic Cash Register	\$3,395.00
Trade-In Allowance Model 61-S	150.00
	<u>\$3,245.00</u>
Kentucky Tax	162.25
	<u>\$3,407.25</u>

Cost Per Year (Based on Ten Years)	\$ 340.73
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Cost Per Day (Based on 300 Days)	1.14
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Equipment is guaranteed for **12** full months.

Commissioner W. E. Butcher made the motion to accept this bid. 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

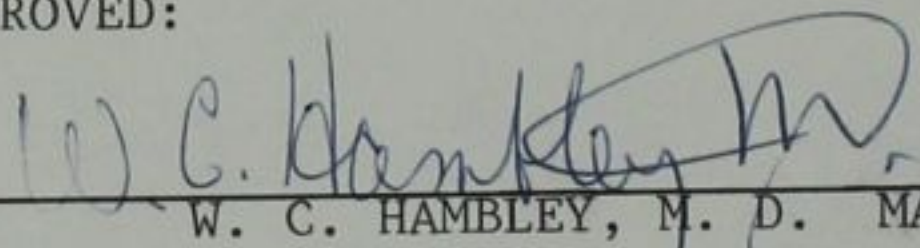
*** To be paid out of all Departments**

Commissioner Robert Amos, Jr., made the motion to adjourn. Commissioner Thomas Howell 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. D. MAYOR

ATTEST:

CHARLES L. HUFFMAN, JR.
CITY CLERK

MINUTES - AUGUST 27, 1973

At a regular meeting of the Board of Commissioners of the City of Pikeville held in City Hall on August 27, 1973, 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 7:36 P.M.

The first order of business was the reading of the following resolution:

R-73-37

**RESOLUTION AUTHORIZING THE CITY MANAGER TO
NEGOTIATE FOR PURCHASE OF SANITARY LAND FILL
SITE**

WHEREAS, the City of Pikeville, Kentucky has been informed that it will be assessed a fine of \$1,000.00 for each and every day that it continues in violation of the pertinent state laws in regard to the present garbage site, and