

## MINUTES } CITY OF PIKEVILLE

Commissioner Thomas Howell 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
	Thomas Howell	Yes
	Willie J. Meade	Absent
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

MEETING ADJOURNED

APPROVED:

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

ATTEST:

CHARLES L. HUFFMAN, JR., CITY CLERK

MINUTES- OCTOBER 14, 1974

At a regular meeting of the Board of Commissioners of the City of Pikeville, held in City Hall on October 14, 1974, at 7:30 P.M., the following members were present:

COMMISSIONERS:	Robert Amos, Jr.
	Thomas Howell
	Willie J. Meade
MAYOR:	W. C. Hambley

The meeting was called to order at 7:35 P.M.

Mayor W. C. Hambley presented and read the Lease Agreement between the City of Pikeville and the Housing Authority of Pikeville.

LEASE AGREEMENT

THIS AGREEMENT, made and entered into this 14 day of October, 1974, by and between the City of Pikeville, Kentucky, a Municipal corporation of Kentucky (hereinafter referred to as the "Municipality") and the Housing Authority of Pikeville, a public body and a body corporate and politic existing under the laws of the Commonwealth of Kentucky (hereinafter referred to as the "Local Authority");

WITNESSETH:

WHEREAS, the Local Authority is developing, with financial assistance of the United States of America (hereinafter referred to as the "GOVERNMENT"), pursuant to the provisions of the United States Housing Act of 1937, as amended, a low-rent housing project known as Project KY-107-1 (hereinafter called the "Project") located in the City of Pikeville, Kentucky, for operation pursuant to the terms and conditions of Annual Contributions Contract No. A-2077, with the Government, dated December 30, 1970, and

WHEREAS, the Housing Authority of Pikeville, as a benefit to and for the residents of the Project, as a necessary appurtenance thereto, desires to provide community, maintenance, and management spaces adequate to serve such needs of the Project and its residents, and

WHEREAS, the Municipality holds title to all of that tract or parcel of land and the improvements thereon located in the City of Pikeville, Pike County, Kentucky, described as follows:

Located between street parallel to the U. S. 23 Bypass route and the Levisa Fork of the Big Sandy River, and being that property known as the Perry A. Cline School Building, together with the entire tract of land occupied by the said buildings, and

WHEREAS, the Local Authority desires to renovate and furnish a portion of the said Perry O. Cline school building for the purpose of providing community, maintenance, and management spaces to serve such needs of the Project and its residents, and

WHEREAS, the Local Authority desires to obtain from the Municipality adequate assurance that that portion of the said building which the Local Authority may renovate and furnish will be available for use by the Local Authority, the Project, and the residents of the Project continuously throughout the life of the Annual Contributions Contract, and



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WHEREAS, the Municipality and the Local Authority are mutually willing to enter a long-term lease which will provide such assurance to the Local Authority, and

WHEREAS, the Municipality has the power and authority, to sell, convey, or lease any of its property or grant rights or privileges therein to a Housing Authority, and the Local Authority with the approval of the GOVERNMENT, has the legal authority to enter into a long-term lease with the Municipality;

NOW, THEREFORE, in consideration of the sum of one dollar (\$1) paid by the Local Authority to the Municipality (receipt of which is hereby acknowledged), the Municipality does hereby lease to the Local Authority for a term of fifty (50) years beginning as of the date of this Agreement and ending fifty (50) years thereafter, the above described premises together with buildings and improvements now or hereafter erected thereon and the privileges and appurtenances thereunto belonging.

It is further agreed by the parties hereto as follows:

(1) The Municipality shall hold title to and remain seized of the above described lands during the life of the Annual Contributions Contract and thereafter as long as the Project is operated as a low-rent housing project, but not exceeding fifty (50) years from the date of this Agreement, and the Municipality covenants that during the life of the Annual Contributions Contract it shall not dispose of nor convey the premises without written approval of the Local Authority and the GOVERNMENT.

(2) The Local Authority shall design and renovate and equip that portion of the building which it determines necessary to provide adequate community, management, and maintenance space to serve the needs of the Project and its residents. The building renovation shall be designed and constructed to conform to the design standards established by the GOVERNMENT. The total cost of the design and renovation as described in this part shall be borne by the Local Authority. Such portion of the building which is not renovated by the Local Authority shall be made available to the Municipality for such intended purposes as the Municipality may desire upon determination by the Local Authority and the GOVERNMENT that such intended purposes shall not conflict nor intervene with the operation of the Project. The Local Authority or the GOVERNMENT may impose conditions or terms upon such intended purposes as may be necessary to protect the interest of the Project and its residents.

(3) The Municipality shall, at all times, keep the building and other improvements on the premises fully insured against losses from fire or casualty. In the event of loss or damage from such causes, the buildings, equipment, and furnishings therein shall be promptly reconstructed or replaced by the Municipality without cost to the Local Authority.

(4) The Local Authority and tenants of the Project shall be exempted from all levies, licenses, taxes or assessments by the Municipality applicable to the building for its use and occupancy.

(5) In the event the Municipality shall fail, neglect, or refuse to perform its obligations and breach the conditions herein provided, the Municipality agrees that the Local Authority may enter upon and take possession of the premises; and possession and occupancy, if taken, shall vest and remain in the Local Authority until the Municipality demonstrates to the satisfaction of the Local Authority its willingness and capacity to resume its obligations to the satisfaction of the Local Authority its willingness and capacity to resume its obligations hereunder to fully comply with the terms and conditions hereof.

(6) If the Local Authority takes possession and occupancy of the premises under circumstances stated above and incurs additional expenses in operating the facility and maintaining services, it may deduct the amount of such additional expenses from payments in lieu of taxes due or to be come due to the Municipality under the Cooperation Agreement in respect to the project or any other low-rent housing projects owned or operated by the Local Authority.

(7) In connection with the use, operations, and construction of the building and facilities, the Municipality with the Local Authority shall not discriminate against any resident, employee, or applicant for employment because of race, religion, color or national origin. The aforesaid provision relating to employees and applicants for employment shall include but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Municipality shall insert, or obtain the insertion of, the foregoing provision in all contracts and subcontracts in connection with the operation of the building and facilities except contracts for standard commercial supplies or raw materials.



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IN WITNESS WHEREOF, the CITY OF PIKEVILLE, KENTUCKY has caused this Agreement to be executed by its Mayor and attested by its City Clerk and caused this Agreement to be executed by its Chairman and attested by its Secretary and its official seal affixed hereto as of the day and year first above written.

(SEAL) CITY OF PIKEVILLE, KENTUCKY  
Lessor

ATTEST:

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

/s/ Charles L. Huffman Jr.  
City Clerk

HOUSING AUTHORITY OF THE CITY OF  
PIKEVILLE, KENTUCKY  
Lessee

(SEAL)

ATTEST:

BY: Chairman

Secretary

APPROVED:

Signature of Authorized Representative  
of the Government

Title

Commissioner Robert Amos, Jr. made the motion to adopt the above agreement. Commissioner Thomas Howell seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

The Money is to come from Community Development Funds.

Betsy Venters presented to the Mayor an award from the Kentucky Heritage Commission, acknowledging Pikeville City Park, a Kentucky Landmark.

Residents of No. 8 Hollow asked that the city gravel their road.

Mayor Hambley stated that the City would gravel and grade their road at the City's expense. The Mayor also stated that water and sewer service would be provided by the City.

Commissioner Willie J. Meade made the motion for the Community Development Plan to be drawn by the present staff of the Model City. Commissioner Robert Amos, Jr. seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

Mayor Hambley stated that the Mayor's office will assume the staff, the present Model City Office and that they would be responsible for drawing the Community Development Program for the City and that they would be responsible for contracting with other agencies to carry out the elements of the plan.

Commissioner Robert Amos, Jr. made the motion to authorize the payment of the \$24,000.70 Program Administration requirements for the Model City's program for the past three years and to pay it from the General Fund or if needed to borrow it from the appropriate bank as soon as possible. Commissioner Willie Joe Meade seconded the motion. Upon roll call the vote was as follows:



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COMMISSIONERS: Robert Amos, Jr. Yes  
Thomas Howell Yes  
Willie J. Meade Yes  
Robert Easton Absent  
MAYOR: W. C. Hambley Yes

The Motion Carried

Commissioner Robert Amos, Jr. made the motion to pay Kelsie Heath, the amount of \$1,000.00 for relocation in order that the rest of the construction can be completed. Commissioner Willie J. Meade seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS: Robert Amos, Jr. Yes  
Thomas Howell Yes  
Willie J. Meade Yes  
Robert Easton Absent  
MAYOR: W. C. Hambley Yes

The Motion Carried

The money is to be paid from the Revenue Sharing Fund.

Commissioner Willie J. Meade made the motion that the City pay Bill Fields the amount of \$1,000.00 for damages done to his water pump, by the City. Commissioner Robert Amos, Jr. seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS: Robert Amos, Jr. Yes  
Thomas Howell Yes  
Willie J. Meade Yes  
Robert Easton Absent  
MAYOR: W. C. Hambley Yes

The Motion Carried

The money is to come from the Revenue Sharing Fund.

Commissioner Thomas Howell made the motion to authorize the City Attorney, Larry Webster, to proceed with attempts to recover the losses incurred by the spill caused by Coleman Oil. Commissioner Robert Amos, Jr. seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS: Robert Amos, Jr. Yes  
Thomas Howell Yes  
Willie J. Meade Yes  
Robert Easton Absent  
MAYOR: W. C. Hambley Yes

The Motion Carried

Mayor Hambley directed City Manager, Ayers Shortt, to make an itemization of costs to be used for filing suit against Coleman Oil.

Mayor Hambley presented and read Ordinance entitled, 1-74-022.

ORDINANCE PROHIBITING DISCHARGE OF CERTAIN SUBSTANCES INTO THE SOURCE OF THE PUBLIC WATER SUPPLY OF PIKEVILLE, KENTUCKY; PROVIDING PENALTIES THEREFOR; PROVIDING DEFINITIONS PERTAINING THERETO.

Commissioner Robert Amos, Jr., made the motion to adopt the above Ordinance. Commissioner Willie J. Meade seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS: Robert Amos, Jr. Yes  
Thomas Howell Yes  
Willie J. Meade Yes  
Robert Easton Absent  
MAYOR: W. C. Hambley Yes

The Motion Carried

Commissioner Robert Amos, Jr., made the motion to pay the Periodical partial payment #4 on Pikeville Athletic Field in the amount of \$60,679.90. Commissioner Thomas Howell seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS: Robert Amos, Jr. Yes  
Thomas Howell Yes  
Willie J. Meade Yes  
Robert Easton Absent  
MAYOR: W. C. Hambley Yes

The Motion Carried



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Commissioner Robert Amos, Jr. made the motion to pay the Periodical partial payment #3 on Pikeville Athletic Field in the amount of \$7,620.30. Commissioner Willie J. Meade seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

Model City bills were presented in the amount of \$7,519.92.

Honaker's, Inc.	Inv. #06834	\$ 3.40
IBM	Inv. #8TJ2815	4.40
City Utilities	Sept. Acct.	18.35
Nursing Scholarships	Reimb. Req.	1,550.00
Big Sandy Wholesale	Inv. #184805	33.52
Demonstration Classroom	Reimb. Req. #8	3,659.76
Harry Bradley	Williamson Daily	2.80
Ed Hellier	Office Rent	575.00
Greg Burnette	Courier Journal	8.70
Orkin Exterminating Co.	Oct. Acct.	10.00
C & R Office Supply	Inv. #15572	5.64
Ky. Power Company	Serv. for Sept.	89.63
South Central Bell	Serv. to 9/16	102.00
Joan Johnson	Travel	97.25
M. C. Day Care Center	Reimb. Req. #16	1,359.46
		<u>\$ 7,519.92</u>

Commissioner Robert Amos, Jr., made the motion to pay the above bills. Commissioner Thomas Howell seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

Mayor Hambley read the following letter from Superintendent, Charles E. Spears to certify that the Pikeville Independent Board of Education show that the following Pikeville High School Construction and related bids accepted as follows:

September 10, 1974

TO: Pikeville City Commission  
Pikeville, Kentucky 41501

Gentlemen:

This is to certify that the official Board Minutes of the Pikeville Independent Board of Education show that the following Pikeville High School Construction and related bids accepted as follows:

1. C. Standafer Construction Company	
General Construction (Plus change order- + \$4,500)	\$1,443,000.00
2. JPC Contracting Company	
Plumbing, HVAC, Fire Protection, Barber-Colman Controls	\$ 560,800.00
3. Elliott Glass and Electric Company	
Electrical Work, Communication and Sound System	\$ 318,868.00
4. Mastercraft Metals Company	
Food Service Equipment	\$ 59,869.00
5. Technical Industries	
Technical Teaching Equipment	\$ 3,428.00
6. Chandler Plywood Products Company	
Cabinets	\$ 20,791.00
*Items 1 through 6 above assigned to General Contractor, - - - - - Total	\$2,406,756.00
7. Central School Supply Company	
Bleachers	\$ 76,697.22
8. Irvin Enterprises	
Basketball Scoreboard	\$ 1,680.00



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9. L. Standafer Company Carpet	\$ 44,700.00
10. King School Equipment Company P. E. Lockers	\$ 21,009.00
11. Modart Division - Jac es Evans Mfg. Company Student Lockers	\$ 16,294.00
*Items 7 through 11 assigned to Owner, - Total	\$ 160,380.22*
Grand Total Assigned and Unassigned Contracts (Bids)	\$2,567,136.22
12. Capitalized Interest during Construction	\$ 317,230.00
13. Contingencies	\$ 87,798.86

- - - - -  
Total of Items 1 - 13 above \$2,972,165.08

Total Bonds and Capitalized Interest received by the  
City of Pikeville, Issuing Agent \$2,972,165.08

Sincerely,

/s/ Charles E. Spears

Charles E. Spears, Superintendent - Secretary

CES/s

Commissioner Robert Amos, Jr., made the motion to accept the above letter from Superintendent, Charles E. Spears, as the best bid received in the amount of \$2,972,165.08, on the Pikeville Independent School. Commissioner Thomas Howell seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	<del>Yes</del>
	Robert Easton	<del>Absent</del>
MAYOR:	W. C. Hambley	Yes

The Motion Carried

The above letter of Certification is on file in the City Clerk's Office.

Mayor Hambley read the following letter of recommendation from Superintendent, Charles E. Spears, to approve a change order in the General Construction Contract of C. Standafer Building Contractors, Inc.

September 10, 1974

To: Pikeville City Commission  
Pikeville, Kentucky 41501

Gentlemen;

This is to certify that on May 31, 1974 the Pikeville Independent Board of Education did upon the recommendation of the Architect and the Superintendent, approve a change order in the General Construction Contract of C. Standafer Building Contractors, Inc.

Said change order resulted from the Board's specification of Tartan Floor Surface for the gymnasium of the New Pikeville High School, a more expensive item than other equal or substitutes. Thus the general contract was increased (\$1,438,500 + \$4,500) to read \$1,443,000.

Sincerely,

/s/ Charles E. Spears

Charles E. Spears, Superintendent

CES/s

Commissioner Robert Amos, Jr. made the motion to accept the change order for the Pikeville Independent School Building Construction in the amount of \$4,500. Commissioner Thomas Howell seconded the motion. Upon roll call the vote was as follows:



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COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes <del>mt</del>
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

The above letter is on file in the City Clerk's Office.

Mayor Hambley read the letter of acceptance from the First National Bank of Pikeville, Kentucky.

September 13, 1974

Pikeville City Commission  
Issuing Agent for 1974  
School Building Revenue Bonds  
Pikeville, Kentucky 41501

Gentlemen

Please be advised that the First National Bank of Pikeville has pledged \$3,000,000 in Rochester, New York, U. S. Government guaranteed project notes which mature September 12, 1975 to cover the various accounts connected with the construction of your school building.

Trusting these arrangements meet with your satisfaction, I remain

Very truly yours

/s/ Jonathan W. Hiers

Jonathan W. Hiers  
Vice President

mtb

Commissioner Willie J. Meade made the motion to approve the above letter. Commissioner Thomas Howell seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes <del>mt</del>
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

The above letter is on file in the City Clerk's Office.

Commissioner Robert Amos, Jr., made the motion to send 4 firemen to Eastern Kentucky University for Communication Training. Commissioner Thomas Howell seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes <del>mt</del>
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

The Commission had a lengthy discussion concerning the May's Construction Estimate.

Resolution R-74-45 was presented and read entitled:

R-74-45

RESOLUTION AUTHORIZING INTERIM FINANCING FOR PAYMENT TO MAYS CONSTRUCTION COMPANY OF \$24,311.15

WHEREAS, a payment is due to Mays Construction Company for re-location of water and gas lines in the City of Pikeville, Kentucky in the sum of \$24,311.15; and,

WHEREAS, interim financing will be necessary to make said payment,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be, and they are hereby authorized to negotiate a loan in the sum of \$24,311.15 to make said payment; the said Mayor and City Clerk shall borrow said funds from such an institution and upon such terms and conditions as they may deem most favorable to the City.



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An emergency is declared to exist; therefore this Resolution shall be in full force and effect immediately upon passage and subscription of same.

At Pikeville, Kentucky, this 14th day of October, 1974.

Commissioner Willie Joe Meade moved the adoption of the foregoing Resolution; Commissioner Robert Amos, Jr. seconded the Motion.

Upon roll call the votes were as follows:

ROBERT EASTON, COMMISSIONER	ABSENT
W. C. HAMBLEY, MAYOR	YES
ROBERT AMOS, COMMISSIONER	YES
THOMAS J. HOWELL, COMMISSIONER	YES
WILLIE JOE MEADE, COMMISSIONER	YES

The Mayor declared the Resolution adopted.

This 14 day of October, 1974.

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

ATTEST:

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

\*The Pipe was included in the \$24,311.15

Commissioner Willie J. Meade made the motion to approve the above resolution. Commissioner Robert Amos, Jr., seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

The Motion Carried

Mayor Hambley instructed City Manager, Ayers Shortt, to check the situation, concerning sewer drains running into the river.

Mayor Hambley read the following agreement between the City of Pikeville and the Kentucky Power Company. This agreement is on file in the City Clerk's Office, the City of Pikeville, Kentucky.

Commissioner Willie Joe Meade made the motion to approve the above Agreement. Commissioner Robert Amos, Jr., seconded the motion. Upon roll call the vote was as follows:

COMMISSIONERS:	Robert Amos, Jr.	Yes
	Thomas Howell	Yes
	Willie J. Meade	Yes
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

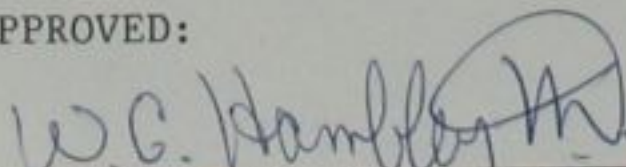
The Motion Carried

Commissioner Willie J. Meade 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
	Thomas Howell	Yes
	Willie J. Meade	Yes
	Robert Easton	Absent
MAYOR:	W. C. Hambley	Yes

MEETING ADJOURNED

APPROVED:

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

ATTEST:

CHARLES L. HUFFMAN, JR., CITY CLERK