

MINUTES } CITY OF PIKEVILLE

MINUTES- JANUARY 13, 1975

At a regular meeting of the Board of Commissioners of the City of Pikeville, held in City Hall on January 13, 1975, at 7:30 P.M., the following members were present:

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

The meeting was called to order at 7:30 P.M., and began with the Assistant City Clerk reading the minutes for the period from November 25, 1974, through December 27, 1974. The minutes were approved as read without any additions or corrections.

A discussion was held with City Manager, Ayers Shortt about sending the policemen to school. Mayor Hambley stated that the law should be checked to see if the school was required for being a policemen.

The Commission had a lengthy discussion with Mrs. Ruby Riley concerning a raise on the Greer Well. Mrs. Riley stated that she wanted to get the same rates as the other Independents. Mayor Hambley instructed City Manager, Ayers Shortt to check and see who's rates were raised. The Commission informed Mrs. Riley that she would be notified of the results.

Mr. Shortt informed the Commission that he had received a call from Wayne Coombs, of the Highway Department telling him not to send a gas bill to the Bowles Heirs. Mayor Hambley stated that there was a verbal agreement that the Highway Department would be responsible for the bill. Mayor Hambley instructed the City Manager to check into the situation.

The Commission had a lengthy discussion on the Community Development Plan.

Commissioner Willie J. Meade made the motion to employ Cliff Myer and Dick Wrecker for supplying maps, developing graphs, etc., for the Community Development Plan. Commissioner Robert Easton 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	Yes
MAYOR:	W. C. Hambley	Yes

The Motion Carried

Blake Robinson, Fiscal Officer, asked that the Model City Agency be able to pay the overhead monthly expenses before the Commission's Approval, and then still present the bills to the Commission. City Attorney, Larry Webster, stated that he would have to check the law before the Commission made a decision.

Model City bills were presented in the amount of \$1,152.28.

Harry Bradley	Wmsn. Daily News	\$ 5.60
Greg Burnette	Courier-Journal	4.20
C & R Office Supply	Inv. No. 19197	10.90
City Utilities Dept.	Serv. for Dec.	60.27
Ed Hellier	Off. Rent to 2/15/75	575.00
Kentucky Power Co.	Serv. for Dec.	59.90
Means Service Ctr.	Dec. & Jan. Acct.	18.10
Orkin Exterm. Co.	Dec. & Jan. Acct.	20.00
U.S. Postmaster	Permit for 1975	30.00
E. F. Sanders	Aerial Photo Serv.	35.00
South Central Bell	Serv. to 12/16/74	93.31
Xerox Corp.	Inv. #027104362	240.00
	TOTAL	<u>1,152.28</u>

Commissioner Willie J. Meade made the motion to pay the above invoices. 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	Yes
MAYOR	W. C. Hambley	Yes

The Motion Carried

Resolution R-75-01 was presented and read entitled:

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R-75-01

A RESOLUTION REQUESTING THE OFFICE OF BUSINESS DEVELOPMENT AND GOVERNMENT SERVICES, COLLEGE OF BUSINESS AND ECONOMICS, UNIVERSITY OF KENTUCKY, TO MAKE A CLASSIFICATION PAY PLAN FOR EMPLOYEES OF THE CITY OF PIKEVILLE

BE IT RESOLVED BY the City Commission of the City of Pikeville, KY as follows:

That the City of Pikeville, Kentucky, be and it is hereby authorized to request the office of Business Development and Government Services, College of Business and Economics, University of Kentucky, to make a classification pay plan for employees of the City of Pikeville, Kentucky.

Be it further resolved that said classification pay plan is to be made without cost to the City of Pikeville, Kentucky.

An emergency exists, this Resolution shall be in full force and effect immediately upon subscription and approval.

At Pikeville, Kentucky this 13 day of January, 1975.

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

Upon roll call the vote was as follows:

	AYES	NAYS
ROBERT AMOS, COMMISSIONER	<u>yes</u>	<u> </u>
THOMAS J. HOWELL, COMMISSIONER	<u>yes</u>	<u> </u>
ROBERT EASTON, COMMISSIONER	<u>yes</u>	<u> </u>
WILLIE JOE MEADE, COMMISSIONER	<u>yes</u>	<u> </u>
W. C. HAMBLEY, MAYOR	<u>yes</u>	<u> </u>

The mayor declared the within Resolution adopted.

/s/ W. C. Hambley, M.D.
W. C. Hambley, M.D. - Mayor

/s/ Charles L. Huffman, Jr.
Charles L. Huffman, Jr.,
City Clerk

Commissioner Robert Amos, Jr., made the motion to approve the above Resolution. Commissioner Willie Joe 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	Yes
MAYOR:	W. C. Hambley	Yes

The Motion Carried

Mayor Hambley read the letter to Mr. Charles E. Spears, Superintendent of Pikeville City Schools from Stephens, Combs & Page.

December 12, 1974

Mr. Charles E. Spears, Superintendent
Pikeville Independent School District
Pikeville, Kentucky 41501

Dear Mr. Spears:

Pursuant to our meeting in this office on December 10, 1974, I have redrafted the Agreement between the City of Pikeville and the Pikeville Independent School Board relating to the use of the paved parking area in connection with the construction of Pikeville High School. An original and three copies of the Agreement, as redrafted, are enclosed herewith.

The Agreement was changed to provide for an on-site inspection after the completion of the construction project to resolve any possible claim. It further provides that the city will make demand in writing promptly after the completion of the construction project in the event that the parties are unable to agree on extent of the damage.

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The Agreement was also revised to add the contractor, C. Standafer Building Contractor, Inc., as a party. It or someone acting on its behalf would be the cause of the damage. It also provides that the contractor would indemnify the school board from any claim resulting from its activities. I doubt that a certificate of insurance would be the proper way to protect the school board on that indemnity. My thought is that the school board could withhold necessary retainers of funds due the contractor after the project is completed to secure it in the payment of any claim made by the City of Pikeville.

If you have any further questions about this matter, please let me know.

Sincerely yours,

STEPHENS, COMBS & PAGE

BY: /s/ Jack T. Page

JTP/mm
encls.

Mayor Hambley read the Agreement between the City of Pikeville, The Pikeville Independent School Board, and C. Standafer Building Contractor, Inc.

AGREEMENT

THIS AGREEMENT made and entered into this 13 day of January, 1975, by and between THE CITY OF PIKEVILLE, party of the first part, and THE PIKEVILLE INDEPENDENT SCHOOL BOARD, party of the second part, and C. STANDAFER BUILDING CONTRACTOR, INC., party of third part,

WHEREAS, there has been constructed adjacent to the Pikeville Athletic Field on property owned by the party of the first part a Parking Area which is paved and bounded by concrete walkways; and,

WHEREAS, in the construction of the new Pikeville High School, the party of the third part, general contractor of party of the second part has undertaken to use the said parking area in various ways, including parking of equipment and vehicles thereon; and,

WHEREAS, it is the intention of the parties by this Agreement for the party of the first part to be indemnified and protected in case of damage to the said parking area.

NOW, THEREFORE, for and in consideration of the benefits flowing to party of the second part and party of the third part by virtue of said use of the said paved parking area, party of the second part and party of the third part hereby agree to indemnify, and at their own expense to correct any damage resulting to the said paved area by virtue of the said use. This includes, but is not limited to the restoration, maintenance and repair of same. This covenant shall be binding upon party of the second part and party of the third part for the duration of the said construction project. Promptly upon completion of said construction project, it is agreed that an on-site inspection of said parking area shall be made by the parties hereto to determine the extent, if any, of the damage to said parking area as a result of usage in connection with said construction project, and they will undertake to agree upon the necessary repairs and restoration of the same. In the event that the parties hereto are unable to agree upon the extent, if any, of said damage as a result of said use, party of the first part will promptly notify the party of the second part and the party of the third part in writing of the extent of damage claimed by it.

In consideration of the party of the second part joining in this Agreement, party of the third part agrees to indemnify the party of the second part and hold it harmless from all costs, damages or expenses which party of the second party may incur or pay under this Agreement as a consequence of the acts of party of the third part, its officers, employees, agents, subcontractors in construction the aforesaid Pikeville High School.

WITNESS our hands the day and date first above written.

CITY OF PIKEVILLE

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

ATTEST:

/s/ Charles L. Huffman, Jr.
Charles L. Huffman, Jr., City Clerk

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Commissioner Robert Amos, Jr., made the motion to approve 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	Yes
MAYOR:	W. C. Hambley	Yes

The Motion Carried

The Commission had a brief discussion about an agreement with Rowe & Company. Mayor Hambley instructed City Attorney, Larry Webster to study the agreement and give details at the next regular meeting.

Larry Webster told the Commission that he was doing a study on being self-insured. He said he was getting in touch with different Companies and that he would report to the Commission on it later.

The Commission had a lengthy discussion on Garbage rate increases. Commissioner Robert Amos, Jr., presented a list of figures to explain the reason an increase was needed. He stated that there are different charges on the same types of businesses. He also stated that he thought proper adjustments could be made without putting the increase on the residents. Mayor Hambley instructed the City Manager to check into the situation.

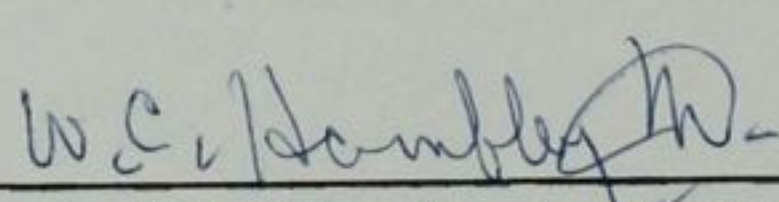
The Commission had a discussion on a water rate increase to Big Sandy Valley Water District. No action was taken.

Commissioner Willie J. Meade made the motion to adjourn. 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	Yes
MAYOR:	W. C. Hambley	Yes

MEETING ADJOURNED

APPROVED:


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

ATTEST:

CHARLES L. HUFFMAN
CITY CLERK

SPECIAL MEETING - JANUARY 20, 1975

At a special meeting of the Board of Commissioners of the City of Pikeville, held in City Hall on January 20, 1975 at 1:00 P.M., the following members were present:

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

NOTICE OF SPECIAL MEETING

TO: MAYOR:	W. C. HAMBLEY, M. D.
COMMISSIONERS:	ROBERT AMOS, JR.
	THOMAS HOWELL
	ROBERT EASTON
	WILLIE JOE MEADE

You are hereby notified that the Board of Commissioner of the City of Pikeville is called to meet in a special session at City Hall, at 1:00 January 20, 1975, at City Hall, in the City of Pikeville, Kentucky, for the following purposes:

1. Consideration of Garbage rate Increase
2. Resolution Authorizing the Negotiation of a Loan by the City of Pikeville.