

MINUTES } CITY OF PIKEVILLE

Evans McGraw was asked to prepare the documents and work order; and the date set for the signing of the contract will be at a Continued Meeting set for Thursday, July 17, 1975, at 1:00 P.M.

Model City bills were presented in the amount of \$6,503.21

American Writing Supply	Inv. #A13344	58.47
C & R Office Supply	Inv. #29366 & 29535	9.14
City Utilities Dept.	Service for June	20.15
Economy Drug	Inv. #2066	26.25
Means Services	Serv. for June	9.05
Ky. Power Co.	Serv. for June	87.69
Orkin Exterm. Co.	July Stmt.	10.00
Pike County News	June Stmt.	44.73
Pikeville Public Library	Nat'l. Geog. Req. #2&3	5,870.40
South Central Bell	Serv. to 6/16/75	126.97
Xerox Corp.	Inv. #030776590	240.00
		<u>6,503.21</u>

Commissioner Robert Amos, Jr. made the motion to approve the bills. Commissioner Thomas Howell seconded the motion.

Upon roll call the vote was as follows:

COMMISSSIONER:	Robert Amos, Jr.	Yes
	Bob Easton	Yes
	Thomas Howell	Yes
	Willie Joe Meade	Yes
MAYOR:	W.C. Hambley, M.D.	Yes

The motion carried.

Commissioner Willie Joe Meade made the motion to continue the meeting until Thursday, July 17, 1975, at 1:00 P.M. Commissioner Robert Amos, Jr. seconded the motion.

Upon roll call the vote was as follows:

COMMISSIONER:	Robert Amos, Jr.	Yes
	Bob Easton	Yes
	Thomas Howell	Yes
	Willie Joe Meade	Yes
MAYOR:	W.C. Hambley, M.D.	Yes

MEETING CONTINUED Thursday, July 17, 1975, at 1:00 P.M.

APPROVED:

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

ATTEST:

CHARLES L. HUFFMAN, JR.
CITY CLERK

CONTINUED MEETING - JULY 17, 1975

At a Continued Meeting of the Board of Commissioners of the City of Pikeville, Kentucky, held in City Hall on July 17, 1975, at 1:00 P.M., the following members were present:

COMMISSIONERS:	Robert Amos, Jr.
	Thomas Howell
MAYOR:	W.C. Hambley, M.D.

The meeting was called to order at 1:06 P.M.

Resolution R-75-46 was presented and read entitled:

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A CONTRACT BETWEEN THE INCORPORATED AREA OF PIKEVILLE LOCATED IN PIKE COUNTY AND THE BUREAU OF HIGHWAYS, COMMONWEALTH OF KENTUCKY, FOR THE FISCAL YEAR BEGINNING JULY 1, 1975, AS PROVIDED IN THE KENTUCKY REVISED STATUTES AND ACCEPTING ALL STREETS LISTED THEREIN AS BEING STREETS WHICH ARE A PART OF THE INCORPORATED AREA OF PIKEVILLE.

Be it resolved by the Legislative Body of the Incorporated Area of Pikeville that:

Section 1:

The Legislative Body of the Incorporated Area of Pikeville

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does hereby accept all streets contained in said contract as being city streets which are a part of the Incorporated Area of Pikeville and;

The Legislative Body of the Incorporated Area of Pikeville does hereby ratify and adopt all statements, representations, warranties, covenants and agreements contained in said contract and does hereby accept said contract and by such acceptance agrees to all the terms and conditions therein stated.

Said contract reads as follows:

Section 2:

In compliance with the laws made and provided, this contract is entered into between the Bureau of Highways, Commonwealth of Kentucky, and the Legislative Body of the Incorporated Area of Pikeville, Pike County, Kentucky.

The projected net apportionment to the incorporated area for the fiscal year beginning July 1, 1975, after providing for administration, emergencies, and contingencies is approximately Eighteen Thousand Nine Hundred Forty Seven and No One Hundredths-----dollars (\$18,947.00). This approximated amount will be expended by the Bureau of Highways to aid the incorporated area in the maintenance, reconstruction, or construction of certain streets in said incorporated area.

In the event revenues produced pursuant to KRS 177.365 are not sufficient to fund the amount set out herein, any deficit caused by expenditures pursuant to this agreement may be deducted from future allocations to the incorporated area.

In the event revenues produced pursuant to KRS 177.365 exceed the amount set out herein, the excess shall be credited to the incorporated area's account, and any unexpended amount shall be carried forward to the succeeding fiscal year.

The streets on which these funds may be expended by the Bureau of Highways and the classification and type of work or services (IMPROVEMENT -----) to be performed are listed hereafter.

SPECIAL PROVISIONS

The Legislative Body of Pikeville will be responsible for performance of all phases of work required to accomplish the projects herein designated for IMPROVEMENT. The work will, if required, include but not be limited to accomplished in accordance with the current Bureau of Highways' policies, standards, and specifications and will be governed by the applicable Kentucky Statutes.

In the event the Legislative Body of Pikeville performs any work designated in this contract for IMPROVEMENT, with its personnel and its equipment or the equipment of a private vendor through a lease rental agreement, and expects to be reimbursed for cost of said labor and equipment, concurrence in the unit prices of the labor and equipment, or any combination thereof, must be obtained by the Chief Executive Officer or his authorized representative of the Incorporated Area from the Bureau of Highways' District Engineer.

Concurrence must be obtained by the City of Pikeville through the Bureau of Highways' District Engineer prior to the award of any contract on projects herein designated in this agreement for IMPROVEMENT that utilizes Municipal Aid Funds.

The Bureau of Highways will reimburse the City of Pikeville for the actual cost of all work performed in compliance with the General and Special Provisions of this contract insofar as Municipal Aid Funds are available. The city will be responsible for all costs in excess of the Municipal Aid Funds.

The City of Pikeville will provide required certification to the Bureau of Highways' District Engineer in Pikeville before payment for any work will be authorized.

The Bureau of Highways will not reimburse the City of Pikeville for any work on projects designated in this contract if the work is not performed in accordance with the Bureau of Highways' current policies, standards, and specifications and in accordance with the General and Special Provisions contained in this contract.

And further, the Bureau of Highways will not reimburse the City of Pikeville for any work on projects that are not listed in this contract.

The Incorporated Area of Pikeville may perform or cause to be performed work in this contract prior to July 1, 1975, with the understanding the Municipal Aid Funds do not become available until July 1, 1975, and the Bureau of Highways cannot be billed for said work prior to July 1, 1975. EXCEPTION: Prior year funds reflected on the TD 10-1 for F.Y. 1975-76 may be paid prior to July 1, 1975.

The City of Pikeville will not be reimbursed for any work included in this contract that is performed prior to the signature of the Commissioner of Highways or his designated representative or prior to the concurrence by the District Engineer for the assignment of work.

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PIKE COUNTY
CITY OF PIKEVILLE
GENERAL PROVISIONS

The chief executive officer and legislative body of incorporated areas or the county judge and fiscal court of unincorporated urban places stipulate and hereby certify that all roads and streets and bridges listed as projects in this contract are a part of the road and street system of the incorporated area or unincorporated urban place and as such are the responsibilities of the legislative body of incorporated areas or the fiscal court for unincorporated urban places. Their inclusion as projects in this contract does not relieve the governing body of its responsibility.

The legislative body or the fiscal court will reimburse the Bureau of Highways for any loss it may sustain arising out of performance of this contract by the bureau. Such loss as sustained by the Bureau of Highways may be charged to unincorporated urban place's or incorporated area's apportionment in this or future fiscal years.

Should any balance of the incorporated area's or the unincorporated urban place's apportionment remain after performance of this contract, such balance will remain to the credit of the incorporated areas or the unincorporated urban places for development of future contracts by the Bureau of Highways.

The Bureau of Highways will accomplish the work involved in the performance of this contract at such times and by such means as it may deem desirable and advisable.

It is agreed that any materials purchased by the Bureau of Highways and delivered to the incorporated area or unincorporated urban place shall be used by the appropriate governmental agency only on projects listed herein and that all use thereof is subject at all times to inspection and supervision by the bureau.

The Bureau of Highways reserves the right to use a portion of the funds to provide bureau personnel and equipment or any other means it may deem necessary to successfully complete the terms of this contract.

The general administration and supervision of the program herein designated shall be under the jurisdiction of the Bureau of Highways.

It is further understood, agreed and stipulated by the parties hereto that if, at any time, in the judgment of the Commissioner of Highways or his authorized representative, the legislative body or the fiscal court is refusing or failing to properly and promptly perform any work stipulated in the contract to be performed by the said legislative body or fiscal court, the Commissioner of Highways or his authorized representative may take over such work and perform same by whatever means he deems appropriate.

Should conditions arise which, in the judgment of the Commissioner of Highways, render it burdensome to the general welfare of the Commonwealth to continue any work commenced under terms of this contract, the bureau may suspend or curtail such work.

It is understood and agreed that any urban road or city street listed as a project in this contract shall not include structures, single span or multiple span, having a length of more than twenty feet measured on a horizontal plane along the centerline of roadway between the inside faces of abutments or end bents at the bridge seats, the intrados of arches at the abutment springing lines, or the inside faces of the outer sidewalks, unless they are specifically designated as a separate project.

It is further agreed between the parties hereto that all obligations incurred under this contract are subject to any law or regulations now existing or hereafter enacted or promulgated.

The Bureau of Highways assumes no responsibility for roads or streets not made a part of this contract and for those which are so listed only such responsibility as is detailed in this contract and then only insofar as funds are available. The legislative body or the fiscal court acknowledges its total responsibility for roads or streets not listed in this contract.

The chief executive officer of the said incorporated area, the county judge of the said unincorporated urban place, and the Commissioner of Highways, or their authorized representatives, insofar as their actions are in accord with the laws of the Commonwealth of Kentucky, shall act for their respective parties on all matters arising under this contract.

IN TESTIMONY WHEREOF, the parties hereto have executed this contract on this the _____ day of _____, 19____.

Incorporated Area of Pikeville,
Pike _____ County

By: /s/ W.C. Hambley, M.D.
Chief Executive Officer

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Bureau of Highways

By: _____
Commissioner of Highways or
Designated Representative

Now therefore be it resolved by the Legislative Body of
Pikeville, Pike County that the Chief Executive Officer
is hereby authorized and directed to sign said contract, as set forth, on behalf
of the Legislative Body of Pikeville, Pike County and
Clerk of Pikeville is hereby authorized and directed to certify
thereto.

The vote taken on said Resolution, the result being as follows:

AyesNays

W.C. Hambley, M.D. Mayor	_____
Robert Amos, Commissioner	_____
Thomas Howell, Commissioner	_____
Bob Easton, Commissioner Absent	_____
Willie Joe Meade, Commissioner Absent	_____

COMMONWEALTH OF KENTUCKY
CITY OF PIKEVILLE
PIKE COUNTY

I, Charles L. Huffman, Jr., Clerk of the City of Pikeville
certify that the foregoing is a true copy of the Order above which is of record
in my office in Book 10, Page 141-144. Given under my hand and seal
of office this the _____ day of July, 19 75.

SIGNED /s/ Charles L. Huffman, Jr.CLERK OF PIKEVILLE

Commissioner Robert Amos, Jr. made the motion to adopt the
above resolution. Commissioner Thomas Howell seconded the motion.

Upon roll call the vote was as follows:

COMMISSIONER:	Robert Amos, Jr.	Yes
	Bob Easton	Absent
	Thomas Howell	Yes
	Willie Joe Meade	Absent
MAYOR:	W.C. Hambley, M.D.	Yes

The motion carried.

Ordinance 1-75-009 was presented and read entitled:

ORDINANCE PROHIBITING PARKING OR VEHICULAR TRAFFIC
ON KENTUCKY AVENUE DURING CERTAIN HOURS DURING
CERTAIN HOURS DURING THE RECONSTRUCTION PROJECT
THERE UPON.

* Ordinance on File in Ordinance Book #2

Commissioner Robert Amos, Jr. made the motion to adopt the
above Ordinance. Commissioner Thomas Howell seconded the motion.

Upon roll call the vote was as follows:

COMMISSIONER:	Robert Amos, Jr.	Yes
	Bob Easton	Absent
	Thomas Howell	Yes
	Willie Joe Meade	Absent
MAYOR:	W.C. Hambley, M.D.	Yes

The motion carried.

The Commission held a discussion with Mr. Evans McGraw,
Engineer and Mr. J.W. Polley, Contractor, concerning the placement of gas lines
and storm drains on Kentucky Avenue.

Mayor Hambley question Mr. Polley about the scraps of con-
crete that will be left when the sidewalks were uplifted. Mr. Polley stated that
they would come up in 2' X 2' sections. Mayor Hambley asked if the City could
have the scrap concrete for placement elsewhere. Mr. Polley said if the scrap
concrete was picked up by their own trucks they could have all they wanted.

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Resolution R-75-45 was presented and read entitled:

RESOLUTION AUTHORIZING EXECUTION OF CONSTRUCTION AGREEMENT ON KENTUCKY AVENUE PROJECT BETWEEN POLLEY AND TRENT, INC., BARDSTOWN, KENTUCKY AND THE CITY OF PIKEVILLE.

WHEREAS, the Kentucky Avenue reconstruction project has been let for bids, and;

WHEREAS, Polley & Trent, Inc., general contractors of Bardstown, Kentucky were the successful bidder with a total base bid of \$75,595.00 along with an Agreement to reduce the same by \$5,000.00 providing that traffic and parking will be prohibited from the said project during certain hours, and;

WHEREAS, the City Commission has been presented a Contract for execution between the City of Pikeville and Polley & Trent, Inc., and has considered the same,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are authorized to execute the said Contract between the City of Pikeville and Polley & Trent, Inc., for the construction of the Kentucky Avenue Project, according to the terms and specifications contained in the bid proposal, contract documents, and contracts. The consideration thereunder shall be \$70,595.00, conditioned upon the City's removing traffic and parking from the Kentucky Avenue Project during certain hours.

At Pikeville, Kentucky this 17th day of July, 1975.

Commissioner Robert Amos, Jr. moved the adoption of the foregoing Resolution.

Commissioner Thomas Howell seconded the Motion.

Upon roll call the votes were as follows:

	YES	NO
W.C. Hambley, M.D., Mayor	<u>Yes</u>	
Thomas J. Howell, Commissioner	<u>Yes</u>	
Bob Easton, Commissioner	<u>Absent</u>	
Robert Amos, Commissioner	<u>Yes</u>	
Willie J. Meade, Commissioner	<u>Absent</u>	

The Mayor declared the withing Resolution adopted.

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

Attest:

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

* Contract documents and contracts on file in City Clerks' Office.

Commissioner Robert Amos, Jr. made the motion to adopt the above Resolution. Commissioner Thomas Howell seconded the motion.

Upon roll call the vote was as follows:

COMMISSIONER:	Robert Amos, Jr.	Yes
	Bob Easton	Absent
	Thomas Howell	Yes
	Willie Joe Meade	<u>Yes Absent</u>
MAYOR:	W.C. Hambley, M.D.	Yes

The motion carried.

Mayor Hambley asked Mr. Polley if he was aware of the taxes that would have to be taken care of. Licence Fee, which is 1/2 of 1% of total Contract price, plus withhold 1 1/2 % of employees gross salary for City Occupational Tax.

Assistant City Manager, Jess Collier, informed the Commission that the City owned a 20 ft. alley, located between Robinson Avenue and Cline Street and that there were three (3) large trees that need to be cut down. Mr. Collier has been in contact with a man who will do the job for \$400.00. The Commission gave their okay to go ahead and have the trees cut down.

Mr. Polley informed the Commission that he will begin construction on the Kentucky Avenue Project the 28 of July, 1975.

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

Upon roll call the vote was a follows:

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COMMISSIONER:	Robert Amos, Jr.	Yes
	Bob Easton	Absent
	Thomas Howell	Yes
	Willie Joe Meade	Absent
MAYOR:	W.C. Hambley, M.D.	Yes

Meeting Adjourned.

APPROVED:

W.C. Hambley M.D.
 W.C. Hambley, M.D., Mayor

ATTEST:

 Charles L. Huffman, Jr. City Clerk

REGULAR MEETING - JULY 28, 1975

At a regular meeting of the Board of Commissioners of the City of Pikeville, Kentucky, held in City Hall on July 28, 1975, at 7:30 P.M., the following members were present:

COMMISSIONERS: Robert Amos, Jr.
 Bob Easton
 Thomas Howell
 Willie Joe Meade

Mayor Pro-Tem, Robert Amos, Jr. called the meeting to order at 7:40 P.M.

The Assistant City Clerk read the minutes for the period of June 23, 1975, through July 17, 1975. The minutes were approved as read without any additions or corrections.

Mayor Hambley arrived at 7:50 P.M.

Community Development bills were presented in the amount of \$6,422.73.

Urban Renewal Agency	Big Sandy U.R. Reg. #1	\$ 2,300.00
Colloredo Associates	Cont. Serv. thru June	3,738.30
Means Services	Serv. for August	9.22
Pike County News	Legal Ads	64.91
IBM	Serv. Agreement	302.00
Charlie's Hardware	Inv. #2874	8.30
		<u>6,422.73</u>

Commissioner Willie Joe Meade made the motion to approve the above invoices. Commissioner Robert Amos, Jr. seconded the motion.

Upon roll call the vote was as follows:

COMMISSIONER:	Robert Amos, Jr.	Yes
	Bob Easton	Yes
	Thomas Howell	Yes
	Willie Joe Meade	Yes
MAYOR:	W.C. Hambley, M.D.	Yes

The motion carried.

Model City bills were presented in the amount of \$13,366.53.

Harry Bradley	Wmsn. Daily News	\$ 5.60
Greg Burnette	Courier-Journal	11.00
C & R Office Supply	INV. #30029	1.70
Colloredo Associates	Cont. Serv. thru June	4,548.64
E.F. Sanders	Photo Services	15.00
M.C. Day Care Ctr.	Reimb. Req. #18	5,702.15
Pikeville Airport Bd.	Reimb. Req. #3	3,082.44
		<u>\$ 13,366.53</u>

Commissioner Robert Amos, Jr. made the motion to approve the above invoices. Commissioner Thomas Howell seconded the motion.

Upon roll call the vote was as follows: