COMMISSIONER:

Sid Ratliff Thomas Howell

Robert Amos, Jr.

Yes Absent Yes

MAYOR:

Willie Joe Meade W.C. Hambley, M.D.

Yes Yes Yes

MEETING ADJOURNED.

APPROVED:

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

ATTEST:

CHARLES L. HUFFMAN, JR. CITY CLERK

MINUTES OF A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, KENTUCKY, HELD ON FEBRUARY 23, 1976

A Regular Meeting of the Board of Commissioners of the City of Pikeville, Kentucky, was held in City Hall, Pikeville, Kentucky, on February 23, 1976, at the hour of 7:30 P.M., E.S.T. There were present W.C. Hambley, M.D., Mayor, Commissioners Robert Amos, Jr., T.J. Howell, Willie Joe Meade, and Sidney Ratliff. There were absent: None.

Mrs. McAnallen came before the Commission to ask the Commission if they could direct someone to cut down two dead trees that were located on Scott Ave., between here property and the sidewalk.

Mayor Hambley directed the Assistant City Manager, Jesse Collier, to take notice of this situation.

Resolution R-76-16 was presented and read entitled:

A RESOLUTION APPROVING A CONTRACT WITH WILBUR J. LINDER, II, CONSULTANT AND THE CITY OF PIKEVILLE TO BE PAID FROM COMMUNITY DEVELOPMENT FUNDS.

WHEREAS, the City Commission of the City of Pikeville deem it advisable that the contract attached hereto and made a part hereof as attachment "A" be approved and the Mayor of the City of Pikeville, W.C. Hambley, M.D., be authorized to execute the same for and in behalf of the City of Pikeville.

THEREFORE, THE CITY COMMISSION OF THE CITY OF PIKEVILLE

DO HEREBY RESOLVE:

1. That the contract attached hereto and made a part hereof as attachment "A" is hereby approved and the Mayor, W.C. Hambley, M.D., is hereby authorized to execute the same for and in behalf of the City of Pikeville, with the consideration thereunder to be paid from Community Development funds.

2. An emergency exists; THEREFORE, this Resolution shall be in full force and effect immediately upon subscription and approval by this Commission.

day of February, 1976.

At Pikeville, Pike County, Kentucky, this the 23rd

Commissioner Willie Joe Meade moved the adoption of the foregoing Resolution.

Commissioner Thomas Howell seconded the Motion.

Upon roll call the vote was as follows:

W.C. Hambley, Mayor
Robert Amos, Commissioner
Thomas Howell, Commissioner
Willie Joe Meade, Commissioner
Yes
Sidney Ratliff, Commissioner
Yes

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

CONTRACT

PART 1 - AGREEMENT

THIS CONTRACT, entered into as of this 23rd day of February, 1976, by and between the City of Pikeville, Model City Community Development Agency, State of Kentucky, (Hereinafter referred to as the Local Public Agency), and Wilbur J. Linder, II, Consultant, with offices in Berea, Kentucky, (Hereinafter referred to as the Contractor);

WITNESSETH:

WHEREAS, the City of Pikeville, Kentucky has or will enter into contract with the U.S. of America to provide for financial aid to the Local Public Agency under Title I of the Housing and Community Development Act of 1974; and

WHEREAS, pursuant to such Contract, the Local Public Agency will undertake certain activities necessary for the planning or execution of a Community Development Program in Pikeville; and

WHEREAS, the Local Public Agency desires to engage the Contract to render certain technical advice and assistance in connection with such undertakings of the Local Public Agency;

NOW THEREFORE, the parties hereto do mutually agree as follows:

1. SCOPE OF SERVICES

The Contractor shall perform all the necessary services provided under this Contract in connection with and respecting the Pikeville Community Development Program and shall do, perform, and carry out in a satisfactory and proper manner as determined by the Director of the Local Public Agency, the following specific phases of the program:

A. Assistance in Updating of the Housing Assistance Plan

The Contractor shall assist the City of Pikeville Model City Community Development Agency in the Updating of the Pikeville Housing Assistance Plan including:

- (1) Revision of HUD forms HUD-7015.8 through 7015.11 as revised by the Federal Department of Housing and Urban Development.
- (2) A Separate Table II (HUD form 7015.9) (Housing Assistance Needs) for female headed households.
- (3) A breakdown of the Housing suitable for rehabilitation by owner and renter.
- (4) A description of the Condition of Low-Rent Public Housing.
- (5) An estimate (documented to the greatest extent feasible) of families residing outside the Corporate limits of the City who would live within the City if house were available.
- (6) Revised 1 and 3 year goals for lower income housing assistance.
- (7) A description of available housing sites and potential rehabilitation areas.
- (8) A narrative text supporting the items discussed above and documenting all data sources.
- B. Technical Assistance In Implementation of the Housing Assistance Plan
 - (1) Assistance in procedures, flow charts forms etc. relating to acquisition of property necessary to carry out the Housing Assistance Program.
 - (3) Assistance in preparing all HUD forms, evaluation reports, review procedures and documentation necessary for the file as required for acquisition, relocation, or other items necessary to assure compliance with HUD guidelines.
 - (2) Assistance in procedures, policies, guidelines and forms necessary to

implement any relocation related to the Housing Assistance Program.

- (4) Attendance, as requested by the Director of the LPA at meetings of the Housing Authority, City Commission, staff or other interested groups.
- (5) Any and all other necessary technical work items (within reason) specifically requested in writing by the LPA Director necessary for the execution of the Housing Assistance Plan.

2. TIME OF PERFORMANCE

The services of the Contractor are to commence on March 1, 1976, and shall be undertaken and completed in such sequence as to assure their expeditious completion in the light of the purposes of this Contract; but in any eveny all of the services required hereunder shall be completed within 15 months of the date of this Contract.

3. COMPENSATION AND METHOD OF PAYMENT

The LPA will pay the Contractor to provide assistance to the City of Pikeville, Model City Community Development Agency on a lump sum basis consistent with the approved budget.

This lump sum fee would include costs of the Contractor associated with salaries, general office overhead, secretarial services, fringe benefits, telephone and telegraph, local travel, and other Federally audited overhead costs. This cost shall be a maximum of \$3,000.00 for Item A as outlined in the scopt of Services and \$500.00 permonth for the activities outlined in Item B of the Scope of Services. Such services as identified herein would be under the direction of the Director of the Model City Community Development Agency from Second Year Community Development funds.

It is expressly understood and agreed that in no event will the total compensation and reimbursement, if any, to be paid hereunder, exceed the maximum sum of \$10,500.00 for all of the services required.

4. TERMS AND CONDITIONS

This Agreement is subject to and incorporates the provisions attached hereto as Part II - Terms and Conditions (Form H-621B).

IN WITNESS WHEREOF, the Local Public Agency and the Contractor have executed this agreement as the date first above written.

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

The City of Pikeville Model City Community Development Agency, Pikeville, Kentucky

ATTEST:

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

Wilbur J. Linder II, Consultant

ATTEST:

Commissioner Willie Joe Meade made the motion to adopt the above resolution. Commissioner Thomas Howell second the motion.

Upon roll call the vote was as follows:

COMMISSIONER: Sid Ratliff
Thomas Howell
Robert Amos, Jr.
Willie Joe Meade
W.C. Hambley, M.D.
Yes

The motion carried.

Resolution R-76-19 was presented and read entitled:

RESOLUTION AUTHORIZING CITY OF PIKEVILLE TO PAY FOR CHANGE ORDER NO. 5 IN CONTRACT BETWEEN HOLLOWAY CONSTRUCTION COMPANY AND DEPARTMENT OF TRANSPORTATION BRUEAU OF HIGHWAYS.

WHEREAS, at the request of the City a change order to the Contract between the Commonwealth of Kentucky, Department of Transportation, Bureau of Highways and Holloway Construction Company of Wixom, Michigan has meant a net increase in the consideration under the said Contract of \$9,384.00, and

WHEREAS, the said change order reflects certain changes in the Poor Farm Waste Area, requested by the City, and for which the City is willing to pay,

NOW, THEREFORE BE IT RESOLVED THAT the City of Pikeville shall pay to the Bureau of Highways the sum of \$9,384.00, representing the extra consideration required by the said Change Order No. 5, on Project No. APD127. A copy of the said Change Order is incorporated herein by reference.

At Pikeville, Kentucky, this 23rd cay of February, 1976.

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

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:

W.C. HAMBLEY, MD., MAYOR
THOMAS J. HOWELL, COMMISSIONER
WILLIE JOE MEADE, COMMISSIONER
ROBERT AMOS, JR. COMMISSIONER
SID RATLIFF, COMMISSIONER

The Mayor declared the within 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 Willie Joe Meade made the motion to adopt the above resolution. Commissioner Robert Amos, Jr. second the motion.

Upon roll call the vote was as follows:

COMMISSIONER: Sid Ratliff
Thomas Howell
Robert Amos, Jr.
Willie Joe Meade
Yes
W.C. Hambley, M.D.
Yes

The motion carried.

Community Development bills were presented in the amount of

\$10,999.17.

Big Sandy Wholesale Co. C & R Office Supply Greg Burnette Orkin Exterminating Co., Inc. Pike County News Edmund Noscow and Assoc.

Urban Studies Center Dept. of Transportation

John G. Charles P.E.

34.32 Inv. #265590 29.30 Inv. #38335, 40408, 40256 Courier Journal 1/31-3/7 5.50 10.00 Serv. for February 22.40 Legal Ad Geological and Environmental 500.00 Study on Cut-thru 44.90 Prof. Serv. Change Order for fill of 9,384.00 Poor Farm Hollow Prof. Serv. Design of Road, Drainage 968.75 and surface

10,999.17

the above invoices.

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

Upon roll call the vote was as follows:

	COMMISSIONER:	Sid Ratliff Thomas Howell Robert Amos, Jr. Willie Joe Meade W.C. Hambley, M.D.		Yes Yes Yes		
				Yes		
	The motion carried. Model City bills were presented in the amount of \$8,683.96.					
Cauley & Collins	noder drey bir			300 00		
Eastern Ky. University	У	Bal. on Cont. Nursing (Pilot T.	.v.) \$	161.00		
M.C. Day Care Ctr. Methodist Hospital		Proj. Req. #4 Day Care Req. #19 Hosp. In-Service)	5,900.96 1,857.50		
		Proj. Req. #6	-	764.50		
			\$	8,683.96		
above invoices. Comm	Commissioner Wardissioner Robert	illie Joe Meade made th Amos, Jr. second the m	ne motion	to approve the		
	Upon roll call	Upon roll call the vote was as follows:				
	COMMISSIONER: MAYOR:	Thomas Howell Robert Amos, Jr. Willie Joe Meade		Yes Yes Yes		
		W.C. Hambley, M.D.		Yes		
	The motion carr			0 /70 00		
Adams Construction Con		presented in the amou	nt of \$15			
Ashland Petroleum Co. Ayers Shortt Ashland Office Supply, Big Sandy Electric & S Brock-McVey Refrigerat Bruce Walters Ford Sal Big Sandy Area Develop Big Sandy Rack Co. B & W Fire Extinguishe Big Sandy Wholesale Co Burroughs Corp. C.D. Jacobs C.I. Thornburg Co., Inc C & R Office Supply Campbell Oil Tool, Inc Chrisman Insurance Age Columbia Gas Of Ky., I Charlie's Hardware Cox Auto Parts Co., Inc Department of Educatio Directories, Inc. Elliott Glass & Electr E.S. Preston Associate Eagle Electric Co., Inc East Kentucky Beverage Elliott Glass, Inc. Elkhorn Stone Company Evans C. McGraw Frank Bell Electric G.C. Murphy Co. General Service Statio Hayes Metal Company Hobbs Ashland Service John Conti Coffee Serv John Perry Supply, Inc Johnson Motor Sales Co Jesse R. Collier, Jr. John Hall Kentucky Power Company Lundsey and Elliott Lula Parson Lynn Blue Print & Suppl Lundy Goff May & Green Dollar Stor Means Service Center Mid-States Meter & Suppl Lundy Goff May & Green Dollar Stor Means Service Center Mid-States Meter & Suppl Lundy Goff May & Green Dollar Stor Means Service Center Mid-States Meter & Suppl Lundy Goff May & Green Dollar Stor Means Service Center Mid-States Meter & Suppl Lundy Goff May & Green Dollar Stor Means Service Center Mid-States Meter & Suppl Lundy Goff	Inc. Supply Co. Sion Supply Co. Ses, Inc. Sment District, Or Sales & Servi Sales & Servi Sales & Servi Co. Inc. Co. Co., Inc. Co., Inc. Inc.	ce		425.44 1,635.00 60.57 26.64 97.02 191.33 4.00 1,500.00 11.42 47.00 23.45 72.31 67.56 1,546.83 66.50 837.87 166.00 88,761.71 12.60 55.39 311.22 41.10 12.08 131.50 3,818.79 42.95 15.00 52.44 409.03 550.83 1,225.00 2.09 81.50 294.00 3.00 96.28 17.00 61.15 3,339.20 44.90 105.00 4,686.17 35.00 3,888.50 262.50 302.51 80.00 3,888.50 262.50 302.51 80.00 3,666 563.74 527.83		

MANOCHHULLILLILLILLICATION	Me Mine Supply Co., Inc. Me M Surplus Sales Magic Mart, Inc. Mayo Trail Tire Service, Inc. Motorola, Inc. Orkin Exterminating Co., Inc. Occupational Tax Refunds Pauley Building Center, Inc. Pike Automotive Supply, Inc. Pike County Collieries Pikeville College Pikeville College Pikeville Hardware Pikeville Iter Company Pikeville Tire Company Pikeville United Service Co. Parts Associates, Inc. Precision Machine and Tool Co., Inc. Proint Express, Inc. Precision Machine and Tool Co., Inc. Point Express, Inc. Riley & Scott Gas Co Park Well Riley & Scott Gas Co Park Well R.H. Worden Roberts & Holcomb Enterprises Reynolds-Phillips Tire Co. Scott-Gross Co., Inc. Scotth Central Bell Telephone Co. Scotth Central Bell Telephone Co. Scotthern Meter & Supply Co., Inc. Standard Oil Company State Stone Company State Stone Company State Stone Company State Stone Association Summers-Herrmann Ford Trucks T.E. Rogers & Sons Two-Way Radio, Inc. Walley Insurance Agency, Inc. Water Works & Industrial Supply Co. Womwell Automotive Parts Co., Inc. Xerox Corporation Verti-line Division Weiners Army & Navy Store Wallace L. Compton	\$ 80.01 388.10 78.98 307.91 5,360.39 30.00 2,953.26 190.08 16.57 863.94 19.70 22.75 286.53 200.00 17.18 332.78 63.72 2,316.23 39.15 2,376.50 513.45 3,396.00 5,475.50 30.00 31.00 601.92 195.05 800.89 647.63 6.00 95.36 22.05 140.00 7,502.00 1,343.25 7.51 135.00 72.60 16.78 390.00

Commissioner Willie Joe Meade made the motion to approve the above invoices. Commissioner Thomas Howell second the motion.

Upon roll call the vote was as follows:

COMMISSIONER: Sid Ratliff
Thomas Howell
Robert Amos, Jr.
Willie Joe Meade
W.C. Hambley, M.D.
Yes

The motion carried.

Resolution R-76-17 was presented and read entitled:

RESOLUTION ACCEPTING OFFER OF
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY FOR GRANT
IN THE AMOUNT OF \$45,000.00
FOR THE PREPARATION OF A FACILITIES
PLAN FOR PROPOSED WASTE TREATMENT
FACILITY

WHEREAS, under the provision of the Federal Water Pollution Control Act Amendments of 1972, the United States Environmental Protection Agency has offered a Federal Grant in the amount of \$45,000.00 to the City of Pikeville for the preparation of a facilities plan for the proposed waste treatment facilities, and;

WHEREAS, a Grant Agreement has been presented with certain stipulations contained therein,

NOW, THEREFORE, BE IT RESOLVED that the offer of the said Environmental Protection Agency is hereby accepted by the City of Pikeville. BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to enter into the Grant Agreement, and to bind the City to the terms thereof.

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

		illie Joe Meade moved t	the adoption of				
the foregoing Resolution		Thomas Howell second	ed the Motion.				
		the vote was as follows:					
	pon rorr ourr	YES	NO				
W.C. HAMBLEY, M.D., MAY	ZOR.	X					
ROBERT AMOS, COMMISSION WILLIE JOE MEADE, COMMIS THOMAS J. HOWELL, COMMISSION SID RATLIFF, COMMISSION	ISSIONER SSIONER	X X X X					
	The Mayor declared the within Resolution adopted.						
	This 23rd day of February , 1976.						
		/s/ W.C. W.C. HAMB	Hambley, M.D. BLEY, M.D., MAYOR				
ATTEST:							
/s/ Charles L. Huffman, Jr. CHARLES L. HUFFMAN, JR. CITY CLERK							
Commissioner Willie Joe Meade made the motion to adopt the above resolution. Commissioner Thomas Howell second the motion.							
	Upon roll call	the vote was as follows:					
	COMMISSIONER:	Sid Ratliff Thomas Howell Robert Amos, Jr. Willie Joe Meade	Yes Yes Yes				
	MAYOR:	W.C. Hambley, M.D.	Yes				
	The motion carried.						
	Resolution R-76-18 was presented and read entitled:						
	RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE HOUSING AUTHORITY OF PIKEVILLE NULLIFYING FORMER CONTRACT						
WHEREAS, by contract dated October 13, 1975, the Housing Authority of Pikeville agreed to assume and administer the Housing Assistance portion of Community Development Funds, and;							
WHEREAS, subsequent to that time the City and the Housing Authority have both mutually agreed that the City should administer the said funds, and;							
whereby the Contract of	WHEREAS, as an Agreement has been presented to the City whereby the Contract of October 13, 1975, would be nullified and held for naught,						
NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute the said Contract and to bind the City to the terms thereof.							
An emergency is declared to exist in regard to this Resolution and the same shall be in full force and effect upon subscription and approval.							
	At Pikeville,	Kentucky this 23rd day of	February, 1976.				
foregoing Resolution.	Commissioner Robert Amos, Jr. moved the adoption of the foregoing Resolution. Commissioner Thomas Howell seconded the Motion.						
Upon roll call the vote was as follows:							

W.C. HAMBLEY, M.D., MAYOR ROBERT AMOS, JR., COMMISSIONER THOMAS J. HOWELL, COMMISSIONER WILLIE JOE MEADE, COMMISSIONER SID RATLIFF, COMMISSIONER

The Mayor declared the within Resolution adopted.

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

ATTEST:

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

Resolution R-76-20 was presented and read entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PIKEVILLE, KENTUCKY AUTHORIZING THE FILING OF A COMMUNITY DEVELOPMENT APPLICATION

WHEREAS, it is necessary and in the public interest that the City of Pikeville, Kentucky, avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974, to commence a Community Development Program within the City of Pikeville, and;

WHEREAS, it is recognized that the Federal contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the City of Pikeville and will require among other things;

- (1) approval of a satisfactory application transmitted to the Federal Department of Housing and Urban Development;
- (2) certification by the City of Pikeville or its designee, relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies and accounting practices; and
- (3) other local obligations and responsibilities in connection with the undertaking and carrying out of the Community Development Program; and

WHEREAS, in those areas where acquisition and clearance is proposed, the objectives of the program cannot be achieved through more extensive rehabilitation comprising the program;

NOW THEREFORE, be it resolved by the City Council of the City of Pikeville, Kentucky;

- (1) that the U.S. of American and the Secretary of Housing and Urban Development be, and hereby are, assured of full compliance by the City of Pikeville City Council with certifications relating to all regulations and administration of Civil Rights Acts, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act, and all requirements of the National Environmental Policy Act of 1968.
- (2) that the Mayor, City Attorney, and Director of Community Development of the City of Pikeville, Kentucky are authorized and directed to prepare such certification and to assure full compliance with all certifications as outlined in (1) above.
- (3) that an application on behalf of the City of Pikeville for a year II grant of said Title I funds is hereby approved and that the Director of Community Development is hereby authorized to execute and file such application with the Federal Department of Housing and Urban Development, to provide such additional information and to furnish such documentation as may be required of said Department, and to act as

the authorized correspondent of the City of Pikeville relating to the Community Development Program.

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:

W.C. HAMBLEY, M.D., MAYOR
THOMAS J. HOWELL, COMMISSIONER
WILLIE JOE MEADE, COMMISSIONER
ROBERT AMOS, JR., COMMISSIONER
SID RATLIFF, COMMISSIONER

The Mayor declared the within 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 Willie Joe Meade made the motion to adopt the above resolution. Commissioner Robert Amos, Jr. second the motion.

Upon roll call the vote was as follows:

COMMISSIONER: Sid Ratliff Yes
Thomas Howell Yes
Robert Amos Yes
Willie Joe MeadeYes
W.C. Hambley Yes

The motion carried.

Resolution R-76-21 was presented and read entitled:

RESOLUTION AUTHORIZING EXECUTION OF AMENDED CONTRACT WITH PIKE COUNTY COLLERIES FOR INCREASE IN WHOLESALE NATURAL GAS RATES

WHEREAS, by Agreement dated December 19, 1946 Consumers
Natural Gas Company, which has since been acquired by the City of Pikeville,
entered into certain gas purchase contracts with Pike County Colleries, a corporation, and;

WHEREAS, the City of Pikeville now feels that the purchase price for gas contained in said Agreement should be modified to reflect the current market price being paid by the City for wholesale natural gas, and;

whereas, the City Attorney has drawn a Supplemental Agreement raising the price for gas purchased under that Contract to 50¢ per one thousand cubic feet, retroactive to include all billings in 1976,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute the said Supplemental Agreement for and in behalf of the City of Pikeville and to bind the City to the terms thereof.

At Pikeville, Kentucky this 23rd day of February, 1976.

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

Commissioner Willie Joe Meade moved the adoption of the foregoing Resolution. Commissioner Thomas Howell seconded the motion.

Upon roll call the votes were as follows:

W.C. HAMBLEY, M.D., MAYOR
ROBERT AMOS, COMMISSIONER
THOMAS J. HOWELL, COMMISSIONER
WILLIE JOE MEADE, COMMISSIONER
SID RATLIFF, COMMISSIONER
X

The Mayor declared the within 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

SUPPLEMENTAL AGREEMENT

THIS AGREEMENT made and entered into this 23rd day of February, 1976, by and between THE CITY OF PIKEVILLE, hereinafter called th BUYER and PIKE COUNTY COLLERIES, a Corporation, hereinafter called the SELLER.

WHEREAS, by Agreement dated December 19, 1946, the seller did agree to sell to Consumers Natural Gas Company, a Corporation afterward required by the Buyer certain natural gas for 20¢ per thousand cubic feet, and;

WHEREAS, the parties hereto desire to change the wholesale rate for gas under the said contract, and to keep said Contract in full force and effect in all other respects,

NOW, THEREFORE, the Buyer does hereby agree to henceforth to pay to the Seller the sum of 50¢ per one thousand cubic feet of gas sold and delivered pursuant to the said Contract. The within raise shall be retroactive to include all billings received by the Buyer in the year of 1976.

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

PIKE COUNTY COLLERIES, INC.

BY:

ATTEST:

SECRETARY

Commissioner Willie Joe Meade made the motion to adopt the above resolution. Commissioner Thomas Howell second the motion.

Upon roll call the vote was as follows:

COMMISSIONER: Sid Ratliff
Thomas Howell
Robert Amos, Jr.
Willie Joe Meade
Yes
W.C. HAMBLEY, M.D.
Yes

The motion carried.

John Damron came before the Commission to asked if he could receive a map of Island Creek to locate a parcel of land possibly owned by his family.

Mayor Hambley directed the Assistant City Manager, Jesse Collier, to gather the information needed for Mr. Damron

Robert Amos, Jr. and seconded by Commissioner Thomas Howell that the Ordinance entitled:

ORDINANCE NO. 1-76-003

AN ORDINANCE OF THE CITY OF PIKEVILLE, KENTUCKY AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TWO MILLION DOLLARS (\$2,000,000). PRINCIPAL AMOUNT OF CITY OF PIKEVILLE NATURAL GAS SYSTEM REVENUE BONDS OF 1976, DATED MARCH 1, 1976, UNDER THE PROVISIONS OF SECTIONS 58.010 THROUGH 58.140 OF THE KENTUCKY REVISED STATURTES, FOR THE PURPOSE OF DEFRAYING THE COST OF THE RECON-STRUCTION AND IMPROVEMENT OF THE MUNICIPAL NATURAL GAS SYSTEM; PROVIDING FOR SAID BONDS TO RANK ON A PARITY WITH THE OUTSTANDING \$55,000 OF NATURAL GAS SYSTEM REVENUE BONDS, DATED MARCH 1, 1964 OF THE CITY; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH SAID \$2,000,000 OF BONDS OF 1976, DATED MARCH 1, 1976, ARE TO BE AND MAY BE ISSUED AND OUTSTANDING; AND PROVIDING FOR THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SAID MUNICIPAL NATURAL GAS SYSTEM.

*Ordinance on file in Ordinance Book No. 2

a true copy of which is attached hereto, be approved on its first reading. A vote was taken on such motion, and the result was as follows:

Yeas

Nays

W.C. Hambley, M.D., Mayor Robert Amos, Jr. T.J. Howell Willie Joe Meade Sidney Ratliff

None

Thereupon, the Mayor declared that the Ordinance had been approved on its first reading and ordered that it be presented for its second reading at the next Regular Meeting of the Board, to be held on March 8, 1976.

Willie Joe Meade and seconded by Commissioner Thomas Howell that the Ordinance entitled:

ORDINANCE 1-76-004

AN ORDINANCE OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PIKEVILLE, KENTUCKY ESTABLISHING
NEW RATES AND CHARGES FOR THE SERVICES
RENDERED AND FACILITIES AFFORDED BY THE
CITY OF PIKEVILLE NATURAL GAS SYSTEM.

*Ordinance on file in Ordinance Book No. 2

a true copy of which is attached hereto, be approved on its first reading. A vote was taken on such motion and result was as follows:

Yeas

Nays

None

W.C. Hambley, M.D., Mayor Robert Amos, Jr. T.J. Howell Willie Joe Meade Sidney Ratliff

held on March 8, 1976.

Thereupon the Mayor declared that the Ordinance had been approved on its first reading and ordered that it be presented for its second reading at the next Regular Meeting of the Board of Commissioners to be

Organizational Structure and Personnel Policies for the Police and Fire Departments was presented to the Commission for adoption.

PERSONNEL POLICY AND ORGANIZATIONAL STRUCTURE OF PIKEVILLE FIRE DEPARTMENT

Pursuant to the direction of the City Commission the Pikeville Fire Department hereby proposes the following Organizational Structure and Personnel Policy:

1. MEMBERSHIP: The Fire Department shall be composed of the Chief, the Assistant Chief, and such other members of the Fire Department

as may from time to time be provided for by the Mayor and City Commission. Members shall be appointed in the manner provided by law, and specifically must be citizens of the State of Kentucky, residents of Pike County for at least six months, at least twenty-one years of age, able to read and write the english language intelligibly, and sober, moral and sagacious. No person who has been convicted of a felony is eligible for appointment. If it is possible to secure such a person, the appointee shall have been a resident of the City for at least six months in addition to the other required qualifications, but is such an appointee cannot be secured a residence of six months in the County is sufficient.

Chief shall have the control, subject to the order and direction of the City Commission, of the Fire Department and all Fire apparatus belonging to the City; the Fire Chief shall direct that such repair to fire apparatus as may be conducted by him without approval from the Commission be undertaken without delay, and shall request of the Commission authorization to do such repairs as he is not able to do on his own.

3. COMMAND AT FIRES: In case of fire, the Fire Chief and his assistants shall rank in the order named, and the officer of the highest rank at the fire shall take command of the Fire Department, and direct the management thereof for the suppression of the fire, in the best manner possible; the officer in command should use his best judgement as to the proper measures to be taken to protect property and to prevent the spread of the fire in the best manner possible.

or cause to be kept a record of all runs, a record of all fires, and such other records as may be necessary to effectuate the purpose of the Fire Department.

5. DUTIES: It shall be the function and duty of the Fire Department and every member thereof to extinguish accidental or destructive fires and to prevent the occurrence of spread of such fires.

6. OBEDIENCE TO ORDERS: Any fireman and attendants at a fire who shall neglect or refuse to obey the orders of the officer in command at such fire shall be subject to dismissal or other disciplinary action by the appropriate authorities of the City of Pikeville.

officers of the Fire Department to see that all statutes, ordinances, and regulations are enforced, and to arrest, to the extent authorized by appropriate statutes or ordinances, any person who shall be found violating any of the said statutes, ordinances or regulations or who shall otherwisehinder, resist, or refuse to obey any such officer in the discharge of his duty.

Department are authorized to go outside the corporate limits of the City of Pikeville for the purpose of rendering aid to other Fire Departments, or of extinguishing fires or rendering aid in the case of accidents to such other Cities, or places as the current policy of the City of Pikeville may permit.

9. CHAIN OF COMMAND: The Chain of command in the Pikeville Fire Department shall be the Fire Chief, the Assistant Fire Chief, and the remaining salary personnel of the Fire Department in that order.

Fire Department to deter unauthorized entrance into the Fire Department, or any place where the equipment and apparatus of the Fire Department is stored, at any time, except on business pertaining to the Fire Department or other appropriate City business.

member of the Fire Department to conduct himself, in a proper and law abiding manner, at all times, with courtesy and civility towards the public, and all members of the Fire Department must at all times refrain from using violent, profane, and isolent language while on the premises of the Fire Department or elsewhere. They shall be civil and respectful towards each other.

12. GAMBLING: No card playing, or other gambling is permitted on or off duty on the premises of the Fire Department by members of the Fire Department or by visitors.

the prevailing policy of the City of Pikeville members of the Fire Department serve as turnkeys for the City Jail. In connection therewith they are to avoid offering legal advise to prisioners or visitors and are to avoid recommending attorneys to visitors or prisoners. Members of the Fire Department shall assist the police in lodging prisoners in the jail, where requested or necessary. In so doing, or in any activities involving prisoners, the members of the Fire Department will use only such force as may be necessary for their self-defense or personal protection. Members of the Fire Department adhere to policies established by the Police Court in reference to phone calls, collection of fines, visitors to the jail, cleaning and maintaining the jail, and such other policies as may be established for the operation of the jail.

members of the Fire Department in a polite and mannerly method, and any assistance which can be rendered by telephone should be rendered. It shall be the duty of the party answering the police phone to acquire the callers name and address and to determine the nature of the complaint being lodged by the caller and to promptly transmit the said complaint to the officers on duty, with the appropriate address. Following this the complaint should be logged, with appropriate records showing to whom the complaint was given and the time.

Members of the Fire Department answering the fire phone shall get the name of the caller, the address of the caller, and the nature of the call. If a fire or other situation requiring the attention of the Fire Department is indicated, it is extremely important to get the correct address, or if the correct address is unavailable to have the person calling understand that he is to meet the firemen on the street or road nearest the scene.

Firemen answering the rescue phone should obtain the caller's name, address, and phone number, as well as the nature of the call.

CAlls should be promptly referred to the Captain of the Rescue Squad, or the other member of the Rescue Squad in charge at the time.

It asked by a calling party the fireman should give his name to that party.

All personal telephone calls to or from members of the Fire Department shall be limited to a miximum of three minutes each.

all members of the Fire Department to properly maintain all Fire Department equipment and apparatus, not to abuse the same, and to keep the same clean and properly functioning for emergency duty.

16. PAPER WORK: All apaer work should be done when required before leaving at the end of a scheduled shift.

17. WORK TIMES: All employees of the Fire Department should arrive promptly at their assigned work time and remain at their work station until and unless permission to leave is granted by the supervisor. It is expressly understood that, because of the peculiar nature of a fireman's duties that there will be times when his attention will not be directed to the actual fighting of fires. Nonetheless the Employee will be expected to offer a full days labor, including, but not limited to, answering phones, providing fire protection to the community, caring for prisoners lodged within the jail, minor maintenance and repair of all equipment assigned to the Fire Department, waxing, washing and otherwise keeping fire equipment clean, bright, and shiny, painting such equipment as useage requires, maintenance of the hydrant system as may be necessary.

DEPARTMENT: It is understood that members of the Pikeville Fire Department will be working with members of the Pikeville Volunteer Fire Department and should at all times cooperate with the said Volunteer Fire Department, being careful at all times to assume final responsibility and final decision making powers with regard to fire fighting or other functions of the Fire Department.

19. UNIFORMS: All members of the Fire Department should wear their authorized uniform at all times while on duty, and said uniform should be kept neat, clean, and orderly when possible.

of the Fire Department to give fourteen days written notice to the Fire Chief or to the City Manager of their intention to resign from the Fire Department. Upon resignation all equipment and property belonging to the City must be returned to the commanding officer.

21. OTHER LAWS: In addition to the within rules and regulations, the laws of the State of Kentucky, ordinances of the City of Pikeville, and Federal Laws pertaining to and affecting fireman shall be the governing factors in the conduct of all members of the Fire Department, who shall at all times be subject to the same.

22. DISTRIBUTION OF PERSONNEL POLICY: A copy of the foregoing Personnel Policy and Organizational Structure shall be delivered as promptly as possible by the Fire Chief to each member of the Fire Department.

Respectfully submitted,

/s/ Charles T. Smith CHARLES T. SMITH FIRE CHIEF

/s/ Robert Courtney
ROBERT COURTNEY
ASSISTANT FIRE CHIEF

ORGANIZATIONAL STRUCTURE AND PERSONNEL POLICIES FOR THE POLICE DEPARTMENT OF PIKEVILLE, KENTUCKY

Pursuant to the direction of the City Commission of Pikeville, Kentucky, the Police Department hereby offers the following as its Organizational Structure and personnel policy.

1. RANK: The Chief of Police shall be the head of the department and have supervision over all officers and members thereof. Following him in rank shall be the Assistant Chief, and the patrolmen.

2. DUTIES OF CHIEF AND ASSISTANT CHIEF: The Chief of Police and the Assistant Chief shall keep such records and make such reports concerning the activities of his department as may be required by Statute of by the City Commission. The Chief, or in his absence, the Assistant Chief shall be responsible for the performance by the police department of its functions, and all persons who are members of the police department shall serve subject to the orders of the Chief of Police, or the Assistant Chief of Police in the absence of the Chief.

3. <u>DUTIES:</u> It shall be the duty of all members of the police department to see to the enforcement of all the Ordinances of the City and all statutes applicable therein; and to preserve order and to prevent infractions of the law and arrest violators thereof.

4. SERVING PROCESS: Members of the police department shall serve such civil or criminal process as may be required of them by ordinance or statute.

5. CONDUCT OF MEMBERS: It shall be the duty of every member of the police department to conduct himself, or herself, in a proper and law abiding manner, at all times, and to avoid the use of unnecessary force. Each member of the department shall obey the orders and directions of his superior.

6. WITNESSES: Every member of the Police Department shall appear as a witness whenever this is necessary in a prosecution for a violation of an ordinance or of any state or federal law.

7. RULES AND REGULATIONS: The Chief of Police may make and prescribe such rules and regulations as he shall deem advisable, binding on members of the police department, covering the conduct of the members uniforms and equipment to be worn or carried, hours of service, vacations, and all other similar matters necessary or desirable for the better efficiency of the Department, and subject however to the right of the City Commission to desapprove same.

8. STOLEN PROPERTY: The Chief of Police shall have the custody of all lost, abandoned or stolen property recovered in the City.

9. TRAFFIC DIVISIONS: It is recongnized that from time to time the the City Commission, or the City Manager deems it fit to employ meter maids, or other individuals whose duties are restricted to traffic supervision. Said meter maids, or other traffic supervisors shall assist in the supervision, the operation, and the maintenance of all parking meters within the City, and shall assist in the control of all traffic in the City, and the issuing of citations or violations of traffic ordinances, statutes, or regulations.

10. CONDUCT OF MEMBERS OF THE POLICE DEPARTMENT: The Chief of Police shall be specifically charged with the supervision of all members of the Department and shall be held strictly responsible for the conduct, and efficiency of all such members for the general good order of the Department, and shall be responsible to the Mayor and the Board of Commissioners. He shall have regular hours of duty during each working day. The Police Chief shall have a thorough knowledge of all sections of the City, and when going on duty shall immediately familarize himself with all police business transacted since his last tour of duty. It shall be the duty of the Chief of Police to inform the commanding officer coming on duty of all important matters which have occurred and which may require attention. The Chief of Police shall diligently inquire into all complaints and charges of laxity and misconduct in the performance of duty by members under his command and shall take such steps as set forth in these rules and regulations, or as he may deem necessary when not in conflict with these rules and regulations. The Chief of Police shall have full power and authority to reprimand any member of the police department for non-conformance with these rules and regulations. The Chief of Police shall have custody and control of all books, records, machines, tools, apparatus or equipment of every kind necessary for the use of the department.

out the functions of the police department, namely, the preservation of the public peace, the protection of life and property, the prevention of crime, the arrest of violators of the law, the proper enforcement of all the laws and ordinances of which the department takes cognizance, shall be consistently direct in their efforts to accomplish that end intelligently direct in their efforts to

accomplish that end intelligently and efficiently, and shall hold themselves in readiness at all times to answer the calls and obey the orders of their superiors and shall be accountable to their superior officers for the general conditions of the City during the hours assigned to them. All original appointments shall be for a probational period of six months. Continuance in service shall be dependent upon the conduct of the appointee and is fitness for the performance of the duties to which he is assigned as indicated by the quality of his work and the reports and recommendations of his superior officers. If during the said six months, the appointee proves unfit, he will be dismissed from the service upon the recommendation of the Chief of Police, by the City Commissioner, and shall not be entitled to appeal from such dismissal. Patrolmen, unless otherwise ordered, shall wear the regulation uniforms in keeping with the specifications, including materials, designated and adopted by the Department and approved by the Commission.

Patrolmen assigned to squad car duty shall take care to see that the vehicle used by them is left in a clean condition fueled, and ready for service at all times.

Members of the Police Department will have regular hours assigned to them for active duty each day, and when not so employed they shall be considered off duty. They shall, however, be held subject to duty at all times, and although practically relieved from the routine performance of duty, are at all times subject to orders from the proper authorities and to calls from the superiors. The fact that they may be techincally off duty shall not relieve them from the responsibility of taking proper police action in any manner coming to their attention at any time. In order to be able to fully execute this responsibility, all police officers, shall carry firearms at all times when in the City.

shall be absence from his regular hours of duty without permission. In the event of sickness notice shall be given to the Police Chief, or the Commanding officer, allowing him ample time to make necessary changes to fill the vacancy of any such persons reporting sick.

patrol duty shall go beyondthe limits of the City unless in the performance of actual police duty, or upon direct orders from the superior officer.

ment, regardless of rank, shall at all times be attentive to their duties.

15. ASLEEP ON DUTY: Sleeping or loafing on duty is a serious dereliction, and any member or employee of the department guilty of such conduct is dubject to charges for neglect of duty.

be used for personal correspondence, nor shall any department property, whatsoever, be used for private purposes.

17. FALSE REPORTS: No member of the Department shall knowingly make a misstatement or make a false report.

notify the Chief of Police of any change in their residence address or telephone number.

department shall treat their superior officers with respect, and in their demeanor toward other associates in the department shall be courteous and considerate, guarding themselves against jealousy and other unfriendly feelings. It is their duty to inform their superior officers of any neglect or disobedience of orders that may come to their knowledge. Members and employees shall not, under any circumstances, or in any manner whatsoever, speak critically or derogatorily to any member of the department, or to any person outside the department regarding the orders or instructions issued by superior officers; provided, however, in any case where there is a sound reason that such orders or instructions are inconsistent or unjust, it is the right and duty of any member or employee to appeal to higher authority.

are demanded from all members and employees of the department and any conduct to the contrary will not be tolerated. Specifically members must refrain from using violent, profane, and insolent language, but when required must act with sufficient force to perform their duties.

21. NAME AND NUMBER: A police officer shall furnish such information or render such aid to all persons when requested, as is consistent with his duties. He shall at all times, when in uniform, keep his badge in sight, and give his name and badge number is a respectful manner when requested.

22. CARE OF EQUIPMENT: Members and employees of the department shall be responsible for the good care of the department property whether fixed or moveable, assigned to their commanding officer the loss or

damage to, or unservicable condition of such property. Roughness or carlessness in the handling of such property will not be tolerated and will be made the subject of charges of superior officers who will be responsible for their strict enforcement of this rule. Any member found guilty of damages to or destruction of city property, either through willfullness or negligence, shall be required to pay all costs of repairs or replacements thereto, beside suffering any penalty for the violation of this section.

any games of chance.

23. GAMES OF CHANCE: Police officers shall not engage in

24. DRINKING: Members of the police department shall not drink any intoxicating liquor while either on duty or in uniform or in the City limits.

25. INTOXICATION: No member of the department shall not become intoxicated or under the influence of alcohol while either on or off duty.

26. ALTERCATIONS: Members of the Department shall refrain from physical altercations except in line of duty and shall not maltreat any person or prisioner.

27. CONFIDENTIAL INFORMATION: No member of the department shall give out or release any information covering the affairs, business or operation of the police department without the consect of the commanding officer.

28. BRIBES: No member of the department shall accept bribes of maney, gifts, or other articles of apparent of actual value.

29. FIREARMS: All regular members of the police department shall buy a revolver approved by the Chief of Police. The same shall be submitted for inspection, and the members shall be qualified for use of firearms.

30. RESIGNATION: All members of the police department shall give fourteen days written notice to the Chief of Police or commanding officer of their intention of resigning from the police department.

31. COMMUNICATION: Each member of the police department shall be required to have with him at all times and if available, portable radios, or such other communication equipment as may be in use by the department. If an officer leaves his squad car, he shall take a portable communication unit with him, if one is available.

32. LOCKING OF SQUAD CARS: If any member of the department is without the squad car for such a length of time as may result in the possibility of third parties entering the said squad car, it shall be his duty to see that the car is locked. At no times shall portable communication equipment be left in an unlocked police car.

33. OTHER LAWS: In addition to the within rules and regulations as established by the City Commission, the laws of the State of Kentucky, Ordinances of the City of Pikeville, and Federal Laws pertaining to and affecting police officers shall be the governing factors in the conduct of all members of the police department, who shall at all times be subject to the same.

It shall be the duty of the Chief of Police to deliver, as promptly as possible, a copy of the foregoin Organizational Structure and Personnel Policy to each member of the Police Department.

January, 1976.

Promulgated by the Police Department, this 12th day of

/s/ Jess Johnson JESS JOHNSON CHIEF OF POLICE

/s/ Roger Burgess
ROGER BURGESS,
ASSISTANT CHIEF OF POLICE

Commissioner Robert Amos, Jr. made the motion to adopt the above Organizational Structure and Personnel Policies for the Police and Fire Departments. Commissioner Thomas Howell second the motion.

Upon roll call the vote was as follows:

COMMISSIONER: Sid Ratliff
Thomas Howell
Robert Amos, Jr.
Willie Joe Meade
Willie Joe Meade
W.C. Hambley, M.D.
Yes

The motion carried.

Thereupon, a motion was made, seconded and unanimously carried that the meeting be adjourned.

Attest:

City Clerk

MINUTES OF A MEETING OF THE BOARD OF COMMISSIONERS OF THE C ITY OF PIKEVILLE, KENTUCKY, HELD ON MARCH 8, 1976

A regular meeting of the Board of Commissioners of the City of Pikeville, Kentucky, was held at the regular meeting place of said Board in Pikeville, Kentucky, on March 8, 1976, at the hour of 7:30 P.M., E.S.T. There were present W.C. Hambley, M.D., Mayor, Commissioners Robert Amos, Jr., T.J. Howell, Willie Joe Meade, and Sidney Ratliff. There were absent: None.

The Assistant City Clerk read the minutes for the period of January 12, 1976 through February 23, 1976. The minutes were approved as read without any additions or corrections.

Bruce Levy, attorney, representing John Greer came before the Commission to seek possibilities of receiving relocation money for moving expenses for his client who is being moved by Urban Renewal.

He said Urban Renewal had no funds available for relocation at this time, and his client had the opportunity to move and he may not have an opportunity like this when Urban Renewal is able to furnish his client with relocation monies.

What they are requesting from the City is, would it be possible for the City to make an arrangement with Urban Renewal to furnish the relocation allowance and then be refunded by Urban Renewal when they had release of funds for relocation.

Mayor Hambley said he would meet with Urban Renewal and see what could be done.

Model City bills were presented in the amount of \$8,172.50.

Methodist Hospital of Kentucky

Cooperative Nursing

\$8,172.50

Pilot TV Project

\$8,172.50

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

Upon roll call the vote was as follows:

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

The motion carried.

Community Development bills were presented in the amount of

\$3,172.50.

C & R Office Supply City Utilities Kentucky Power Company Means Services South Central Bell Will Linder, Consultant Xerox Corporation Petty Cash Ed Hellier U.S. Postmaster Lawrence Webster, Attorney

15.65 Inv. No. 40539, 41116, 41078 89.88 Service for February 75.40 Service for February 9.95 Service for February 202.62 Service for February 500.00 Prof. Serv. 240.00 Inv. No. 035003148 25.00 To establish Petty Cash fund 575.00 Office Rent to April 15, 1976 39.00 3 rolls stamps 1,400.00 Prof. Serv. 3,172.50