

MINUTES } CITY OF PIKEVILLE

Mr. Charles Deaton, a concerned citizen, suggested that the name of Poor Farm Hollow be changed in view of the re-development in the area.

The Commission agreed to form a committee to study the matter and determine an appropriate name for the area.

Commissioner Sidney Ratliff made the motion to adjourn the Meeting. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried. The Meeting was adjourned.

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

ATTEST: CHARLES L. HUFFMAN, JR.
CITY CLERK

REGULAR MEETING - FEBRUARY 14, 1977

A Regular Meeting of the Board of Commissioners of the City of Pikeville, Kentucky, was held on February 14, 1977, at 7:30 P.M., at the regular meeting place of said Board of Commissioners at the City Hall in Pikeville, Kentucky.

Mayor William C. Hambley, M.D. presided, and upon call of the roll the following duly qualified and acting members of the Board of Commissioners were determined to be present:

Commissioner Robert Amos, Jr.
Commissioner Thomas J. Howell
Commissioner Sidney Ratliff 8:00 P.M.

Mayor William C. Hambley, M.D.

The following were absent:

Commissioner Willie Joe Meade

The Meeting was called to order at 7:30 P.M.

The Assistant City Clerk read the Minutes for the period of January 24, 1977 (Regular Meeting). The Minutes were approved as read without additions or corrections.

Community Development Bills were presented for approval in the amount of \$202,876.94.

Appalachian Express	Annual Subscription	\$ 7.35
C & R Office Supply	Inv. Nos. 55675, 55939, 56119, 56416	3.75
City Utilities	Service for January	141.29
Charlie's Hardware	Inv. No. 8453	1.00
Colloredo Association	Professional Service Contract (Road Fork Storm Sewer)	1,273.59
Department of Transportation	Copying Service	15.00
Mary Lou Draughn	Reimbursement for postage	8.80
IBM Corporation	Inv. No. 4MP0460	13.50
Kentucky Power Company	Service for January	70.63
Means Services	Inv. No. 02073445780	10.63
Will Linder	Consultant Services	1,000.00
Dennis Okpala	Courier-Journal	3.80
Petty Cash	Reimbursement Petty Cash Fund	23.72
Pike County News	Subscription & Legal Ads	43.75
South Central Bell	Service for January	116.81
Paul Sowards	Travel Expenses	52.70
Xerox Corporation	Inv. No. 041329048	270.00
Urban Renewal	Block 12 Req. No. 2	160,776.00
Urban Renewal	Narrows Dev. Req. No. 3	1,491.62
City of Pikeville	Housing Assist. Req. #16	37,553.00
		<u>\$202,876.94</u>

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

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Absent
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

A Final Periodic Estimate for Payment was submitted by J.T. Goggans Company, Inc. for concrete paving at the new municipal building & fire station under Contract dated November 3, 1976 in the amount of \$23,031.70.

Mayor Hambley asked Evans McGraw, City Engineer, what the status of the project was at this time.

Mr. McGraw stated that the contractors were almost finished, ninety-five percent complete, and that ten percent retainage on the final payment would be enough to cover the work that was not completed as of this date.

Commissioner Robert Amos, Jr. made the motion to approve the Final Periodic Estimate for Payment from J.T. Goggans Company, Inc. for concrete paving at the new municipal building and fire station under Contract dated November 3, 1976, in the amount of \$20,728.53. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Absent
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

A Final Estimate for Payment on the Island Creek Water Line Crossing Project was submitted by Anderson Tank & Pipeline Company in the amount of \$41,291.35 for work completed December 30, 1976 under Contract dated October 20, 1976.

Mayor Hambley asked if the water line was complete and inspected.

Jess R. Collier, Jr., Acting City Manager, stated that the water line had been inspected and was fully complete.

Mayor Hambley asked if water was in the line.

Mr. Collier stated that water was in the line but that the valve was turned off.

Mr. Evans McGraw, City Engineer, stated that the line had been inspected and was in service. Mr. McGraw recommended that the Commission approve the Final Periodic Estimate for Payment to Anderson Tank & Pipeline Company.

Commissioner Robert Amos, Jr. made the motion to approve the final payment of \$41,291.35 to Anderson Tank & Pipeline Company. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Absent
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

A Final Periodic Estimate for Payment was submitted by Hall Contracting Corporation for approval in the amount of \$28,005.05 for work completed on the gas-line reconstruction as of January 7,

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1977 under Contract dated February 9, 1976.

Commissioner Robert Amos, Jr. stated that a public hearing should be held for citizens having a grievance concerning the gas-line reconstruction and suggested that Lawrence Webster, City Attorney, set a date for same. The Commission agreed that such a hearing would be held prior to payment of the ten percent regainage under Contract to Hall Contracting Corp.

Commissioner Robert Amos, Jr. made the motion to approve the final payment to Hall Contracting Corporation on the gas-line reconstruction in the amount of \$28,005.05 and hold the ten percent retainage under Contract dated February 9, 1976 in the amount of \$150,619.04 until the project has been inspected, approved, in service and all grievances investigated. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Absent
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

A Request for Funds was presented to Community Development from Community Development Housing Assistance in the amount of \$37,553.00.

Commissioner Robert Amos, Jr. made the motion to approve the above Request for Funds in the amount of \$37,553.00. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Absent
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

An Invoice was presented from J.T. Goggans Company, Inc. (Contractor's Application 5) for approval in the amount of \$35,303.00 for renovation on the Perry Cline Community Building under Contract dated July 13, 1976.

Commissioner Thomas J. Howell made the motion to approve the above invoice from J.T. Goggans Company, Inc. in the amount of \$35,303.00 under Contract dated July 13, 1976. Commissioner Robert Amos, Jr. seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Absent
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

A Request for Funds was presented from Temporary Relocation Housing Assistance Project in the amount of \$375.00.

Commissioner Robert Amos, Jr. made the motion to approve the above Request for Funds from Temporary Relocation Housing Assistance Project in the amount of \$375.00. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Absent
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

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Change Order No. #1 on the Raw Water Intake Relocation and Water Line was presented by E.S. Preston and Associates (Hall Contracting Corporation, Contractor) deleting Items #43, #64 and #76, a total decrease in Contract amount of \$60,800.00 (Total Adjusted Contract Price: \$1,041,693.70).

Commissioner Robert Amos, Jr. made the motion to approve the above Change Order No. #1 on the Raw Water Intake Relocation and Water Line Project in the amount of \$60,800.00 (decrease). Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Abstain
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

An Invoice was presented from Howard K. Bell, Consulting Engineers, Inc. in the amount of \$4,991.34 for engineering services in connection with the Wastewater Collection and Treatment Facilities Project.

Commissioner Robert Amos, Jr. made the motion to approve the above Invoice from Howard K. Bell, Consulting Engineers, Inc. in the amount of \$4,991.34. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

The General Revenue Sharing Actual Use Report for July 1, 1976 through December 31, 1976, was presented for approval.

There was discussion concerning what type of projects the revenue sharing money has been used for and what it will be used for in the future.

Commissioner Robert Amos, Jr. made the motion to approve the General Revenue Sharing Actual Use Report for July 1, 1976 through December 31, 1976. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

An Invoice was presented from Heath & Associates for engineering services rendered in connection with renewal of the Pikeville natural gas distribution system under agreement dated June 5, 1975, in the amount of \$622.34.

Commissioner Robert Amos, Jr. made the motion to approve payment to Heath & Associates in the amount of \$622.34 provided that Heath & Associates meet with the City of Pikeville and Hall Contracting Corporation and make a settlement concerning the gas line relocation project. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

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An Invoice was presented in the amount of \$653.21, plus court costs in the sum of \$51.00 for a total of \$704.21. This invoice represents the settlement in Holbrook vs City of Pikeville in which the City damaged the television cables and poles of Earl Holbrook & Billy Akers.

Commissioner Robert Amos, Jr. made the motion to approve payment to Earl Holbrook and Billy Akers the sum of \$653.21, plus court costs in the sum of \$51.00 for a total of \$704.21. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

Orville Coleman, Ratliff's Creek, came before the Commission with a complaint. He stated that the gas-line reconstruction Contractor damaged his driveway and it had not been repaired.

Carmel Akers, Ratliff's Creek, came before the Commission with a complaint. He stated that the gas-line contractor had damaged his drain-pipes and did not repair them.

Jess R. Collier, Jr., City Manager, stated that he would check into the matter.

The Financial Audit on the City of Pikeville Water & Sewer System, Natural Gas System and General Fund compiled by Linton & Company, Certified Public Accountants, Pikeville, Kentucky for fiscal year ended June 30, 1976 was presented to the Commission for approval.

Commissioner Robert Amos, Jr. made the motion to approve the above Audit Reports for year ending June 30, 1976. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

Resolution R-77-5 was presented and read entitled:

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN CITY OF PIKEVILLE AND CHARLES ENGINEERING COMPANY AND PIKEVILLE MODEL CITY COMMUNITY DEVELOPMENT AGENCY.

WHEREAS, it will be necessary for the City of Pikeville to obtain engineering services in connection with certain City Projects, including the designing of 900 feet of new street with parking bays, survey subdivision plot to develop right of way plans, and develop construction plans with specifications, and contract documents and bid proposals, at Fairview.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk of the City of Pikeville are hereby authorized to enter into a professional services contract with Charles Engineering Company, a registered engineer, including the standard terms and provisions usually incorporated in engineering contracts, in connection with the redevelopment of Fairview.

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

At Pikeville, Kentucky this 14th day of February, 1977.

Commissioner Robert Amos, Jr. moved the adoption of the foregoing Resolution. Commissioner Thomas J. Howell seconded the Motion.

Upon roll call the votes were as follows:

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

adopted. The Mayor declared the within Resolution

/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 Robert Amos, Jr. made the motion to approve the above Resolution. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

An Agreement between the Commonwealth of Kentucky, Department of Transportation, Bureau of Highways, And The City of Pikeville, was presented for approval.

AGREEMENT

THIS AGREEMENT, made and entered into this 14th day of February, 1977, by and between the COMMONWEALTH OF KENTUCKY, DEPARTMENT OF TRANSPORTATION, BUREAU OF HIGHWAYS, hereinafter referred to as the "DEPARTMENT", and the CITY OF PIKEVILLE, KENTUCKY, hereinafter referred to as the "CITY".

WITNESSETH:

WHEREAS, the parties hereto are coordinating their activities in the construction of a cooperative project, known as the Pikeville Open-Cut Project, which involves the construction of an open cut through Peach Orchard Mountain in Pike County, Kentucky, so as to accommodate the relocation of Highway U.S. 23, the relocation of railways mainline operation, and the rechannelization of the Levisa Fork of the Big Sandy River, and the filling of a portion of the existing river channel; and

WHEREAS, it is the desire of the CITY that the excavation material obtained in the construction of said open cut be utilized for the purpose of filling the existing river channel;

NOW, THEREFORE, in consideration of the premises, it is hereby agreed between the parties hereto as follows:

1. The CITY does hereby agree to be a party to the construction contract let by the DEPARTMENT in order to construct the open cut through Peach Orchard Mountain, which contract will provide for the excavation of material in constructing the open cut through Peach Orchard Mountain and also will provide for the filling of the existing river channel with said excavation material according to the plans and specifications developed by the U.S. Army Corps of Engineers for the CITY, which plans and specifications are hereby made a part of this Agreement by reference.

2. The CITY does hereby assume full responsibility for the placing of the fill material excavated under the terms of said construction contract upon its own property according to said plans of the U.S. Army Corps of Engineers.

3. The Commonwealth does agree to furnish the technical assistance for the CITY in order to insure that the placement of the fill material is in accordance with the aforesaid plans and specifications.

4. The CITY may alter or revise the river fill plans, with the approval of the U.S. Army Corps of Engineers, providing that no additional cost is to be incurred by the DEPARTMENT. Should any change be made in said plans and specifications by the CITY, it will be the responsibility of the CITY to pay for all additional costs incurred.

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The CITY does assume all responsibility and liability for any claim that may result from the filling of the existing river channel, the appurtenant drainage structures, and the creation of the proposed lake. The CITY does agree to hold the DEPARTMENT harmless from any and all claims or actions of any nature or kind whatsoever resulting from the filling of the existing river channel, the creation of the proposed lake, and the construction of the appurtenant drainage structures.

6. The CITY shall be solely responsible for insuring and maintaining the water quality of the proposed lake.

7. The CITY does agree that it will take all necessary measures in order to prevent the proposed lake from becoming polluted.

IN TESTIMONY WHEREOF, witness the signatures of the parties hereto this 14th day of February, 1977.

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAYS

By: JOHN C. ROBERTS, SECRETARY
DEPARTMENT OF TRANSPORTATION

CITY OF PIKEVILLE

ATTEST: Charles L. Huffman, Jr. /s/
CITY CLERK

By: W.C. Hambley, M.D. /s/
MAYOR

APPROVED AS TO FORM AND LEGALITY

DEPUTY SECRETARY FOR LEGAL AFFAIRS

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

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

A List of those persons having delinquent utility bills was presented to the Commission.

Commissioner Robert Amos, Jr. stated that he felt any person having a large delinquent utility bill that makes no effort to pay should be discontinued any utility service.

Commissioner Sidney Ratliff stated that the matter of delinquent utility bills had been brought before the Commission on a previous occasion and that the Commission had agreed to a two month time limit to make payment before a customer was discontinued the utility service.

Commissioner Robert Amos, Jr. stated that for those people that could not afford to pay a large bill, a payment system could be worked out, but for those people that could afford to pay, the utility service should be discontinued until the bill is paid. Commissioner Amos suggested that those bills be turned over to Lawrence Webster, City Attorney, to collect.

Mr. Jim Balser came before the Commission with a complaint concerning his water. He stated that his water was often muddy and not fit to drink. He stated that he had replaced three water tanks due to the problem of mud and he felt the problem could be alleviated if the employees at the Water Plant would watch their gauges and not let the tanks on Peach Orchard get so low that the water picks up mud.

Mr. Balser also stated that there has been a water leak on Julius Avenue for quite some time and the water runs into the

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road, and he requested that the holes in the road be filled with some kind of temporary material until the weathers clears.

Mayor Hambley directed Jess Collier, Jr., Acting City Manager, to check on these matters.

A Letter was presented from the Fraternal Order of Police.

Fraternal Order of Police
G.W. Young Lodge No. 29
P.O. Box 98
Pikeville, Kentucky

Honorable Mayor and Counselmen
Pikeville City Building
Pikeville, Kentucky

RE: PROPOSED FRATERNAL ORDER OF POLICE LODGE HALL

Gentlemen:

Pursuant to request of the Mayor and Counsel of the City of Pikeville, The G. W. Young Lodge Of The Fraternal Order Of Police has discussed and drawn specifications for a Lodge Hall which the Brothers of the Lodge by this letter present to the Mayor and the City Counsel for consideration.

The G. W. Young Lodge envisions a Lodge Hall which shall serve not only a social function but as a training and learning facility. The Lodge seeks ample space to fulfill its goals of providing a facility that can be used in training and physical fitness. The Lodge seeks sufficient land to provide for a drill area, physical training area outdoors, volleyball and basketball court.

The Lodge believes this could be adequately provided on a 200' x 200' lot which would leave sufficient room for 80' x 70' building plus parking area and a physical activity area. A proposed sketch of the building layout is attached hereto, marked as Plan I for identification, and made a part of this report.

It should be stressed that all building material and labor shall be provided by The G.W. Young Lodge Of The Fraternal Order of Police. The City would be furnishing only the land upon which the facility shall be built and incur no costs in its maintenance and upkeep.

It is the Lodge's belief that by the furnishing of this land the City and the surrounding communities will be provided with a better trained, better physically conditioned and capable law enforcement officers. It is with this goal in mind that The G.W. Young Lodge Of The Fraternal Order of Police respectfully submits this proposal.

The Lodge will take all necessary steps that the City of Pikeville requires to expedite this matter.

Respectfully submitted,

/s/ James B. McKenzie
President 1977 - Fraternal Order of Police
G.W. Young Lodge No. #29

No action was taken at this time.

Commissioner Robert Amos, Jr. presented a letter to the Commission.

February 14, 1977

Honorable W.C. Hambley, Mayor
Jess (Jay) Collier, Interim City Manager
Willie Joe Meade, Commissioner
Thomas J. Howell, Commissioner
Sidney Ratliff, Commissioner

In my five years plus of observing all facets of the different operations of the City government I have become more thoroughly convinced that the City could be operated more efficiently and a better organized working schedule set up by dividing the different projects into three separate departments.

Therefore I am asking that the Mayor and the three Commissioners give some thought and consideration to dividing the Cities operations into the three

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following departments.

WATER AND SEWER

STREET AND SANITATION

NATURAL GAS DEPARTMENT

At the discretion of the City Manager, He could place the present foremen and Superintendent (namely) Larry Dotson, Woodrow Akers and Tom Fields as the heads of these departments. The City Manager should also choose the employees for each department and specify what vehicles that are to be used in each department.

The Department head of a certain department would be solely responsible for the production and the efficiency of his operation and that would make it easier for the Manager to know what is being accomplished and what steps to take to correct same if necessary.

That purchases for the City be made only by having a purchase order and the approval of the City Manager or his assistant.

Respectfully yours,

/s/Bob Amos, Jr.

Robert Amos, Jr.

Commissioner Sidney Ratliff made the motion to accept Commissioner Amos's recommendation to set up a new system with the exception of the superintendents named in the letter, the choosing of superintendents for the departments will be left to the discretion of the City Manager. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried.

Commissioner Sidney Ratliff made the motion to adjourn the Meeting. Commissioner Thomas J. Howell seconded the motion.

Upon roll call the vote was as follows:

Commissioner:	Sidney Ratliff	Yes
	Thomas J. Howell	Yes
	Willie Joe Meade	Absent
	Robert Amos, Jr.	Yes
Mayor:	W.C. Hambley, M.D.	Yes

The motion carried. The Meeting was adjourned.

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

ATTEST:

CHARLES L. HOFFMAN, JR.
CITY CLERK