

MINUTES } CITY OF PIKEVILLE

Change Order No. #1 was presented by J.T. Goggans Company, Incorporated on the Concrete Paving Project at the new municipal building and fire station in the amount of \$1,267.50 (Increase).

Commissioner Robert Amos, Jr. made the motion to approve the Change Order No. #1 on the Concrete Paving Project at the new municipal building and new Fire Station in the amount of \$1,267.50 (Increase). 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 Robert Amos, Jr. made the motion that the meeting be adjourned to convene again on March 1, 1977, at 8:00 P.M., E.S.T., at the same place. 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 adjourned to convene again at aforesaid time and place.

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

ATTEST: CHARLES L. HUFFMAN, JR.
CITY CLERK

ADJOURNED REGULAR MEETING

MARCH 1, 1977

An Adjourned Regular Meeting of the Board of Commissioners of the City of Pikeville, Kentucky, was held on March 1, 1977, at 8:00 P.M., E.S.T., at the regular meeting place of said Board at the City Hall in Pikeville, Kentucky, pursuant to adjournment from the Regular Meeting of February 28, 1977, as duly noted in the Minutes of said Regular Meeting.

Mayor William C. Hambley, M.D. presided, and 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

Mayor William C. Hambley, M.D.

The following were absent:

Commissioner Willie Joe Meade

The Meeting was called to order at 8:00 P.M.

The Assistant City Clerk read the Minutes for the period of February 14, 1977 (Regular Meeting). The Minutes were approved as read without additions or corrections.

An application for employment was submitted by Zebedee Hampton for the position of Fireman.

Commissioner Thomas J. Howell made the motion to employ Zebedee Hampton in the position of Fireman at a starting salary of \$672.50 per month and three month probationary period. Commissioner Robert Amos, Jr. seconded the motion.

MINUTES } CITY OF PIKEVILLE

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.

entitled:

Resolution R-77-11 was presented and read

RESOLUTION AUTHORIZING CITY
TO ACT AS AGENCY FOR PURPOSES
OF KRS CHAPTER 99 DEVELOPMENT
PLAN.

WHEREAS, the City of Pikeville, by and through its Community Development Agency desires to undertake a KRS Chapter 99 Urban Renewal Development Plan for the Fairview Redevelopment Project, and;

WHEREAS, the City deems it advisable for the City itself, by and through its Community Development Agency to act as the "Agency" in the formulation and adoption of the said Development Plan.

NOW, THEREFORE, BE IT RESOLVED that the Community Development Agency, acting for and in behalf of the City of Pikeville is authorized to pursue a development plan pursuant to KRS Chapter 99, to hold public hearings on the same, and to certify to the Commission for final approval those matters required to be certified by KRS 99.370(5).

At Pikeville, Kentucky this 1st day of March, 1977.

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.

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

Commissioner Thomas J. Howell seconded the Motion.

Upon roll call the vote was as follows:

W. C. HAMBLEY, M.D., MAYOR	YES
THOMAS J. HOWELL, COMMISSIONER	YES
WILLIE JOE MEADE, COMMISSIONER	ABSENT
ROBERT AMOS, JR., COMMISSIONER	YES
SIDNEY 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 adopt 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.

entitled:

Resolution R-77-12 was presented and read

RESOLUTION OF THE BOARD OF COMMISSION
OF THE CITY OF PIKEVILLE, KENTUCKY,
CONCERNING THE FAIRVIEW URBAN RENEWAL
AREA, FINDING IT A "SLUM" AND "BLIGHTED
AREA", DETERMINING THE FEASIBILITY OF
RELOCATION, AND APPROVING THE FAIRVIEW
URBAN RENEWAL PLAN.

MINUTES } CITY OF PIKEVILLE

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, the Secretary of Housing and Urban Development is authorized to provide financial assistance to cities and other units of local government for undertaking and carrying out Urban Renewal and Community Development type activities; and

WHEREAS, it is provided in such Act and Chapter 99 of the Kentucky Revised Statutes that contracts for financial aid thereunder shall require that an Urban Renewal Plan (Development Plan) for the respective redevelopment area comprising a Program be prepared and approved by the Governing Body which provides that: (1) the financial aid to be provided in the contract is necessary to enable the Program to be undertaken in accordance with the Development Plan; (2) the Development Plan will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the redevelopment of the redevelopment areas by private enterprise; (3) the Development Plan conforms to a general plan for the development of the Locality as a whole; and (4) the Development plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan; and

WHEREAS, the City has applied for financial assistance under such Act and has entered into a contract with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Program; and

WHEREAS, it is desirable and in the public interest that the City of Pikeville, Kentucky (herein called the "City"), acting through the Pikeville Model Cities and Community Development Agency, undertake and carry out the Community Development Program (herein called the "Program") identified as "Fairview Urban Renewal Program" and encompassing the areas as identified on Exhibit "A" attached hereto in the City of Pikeville, of the County of Pike, State of Kentucky (herein called the "Locality"); and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Pike County/Pikeville/Elkhorn City Planning Commission, which is the duly designated and acting official planning body of the Locality, has submitted to the Governing Body its report and recommendations respecting the Development Plan for the redevelopment area comprising the Program and has certified that the Development Plan conforms to the general plan for the Locality as a whole, and the Governing Body has duly considered the report, recommendations, and certification of the planning body; and

WHEREAS, the City has made studies of the location and physical condition of structures, land use, environmental influences, and social, cultural and economic conditions of the redevelopment area comprising the Program and has determined that the area is a blighted and slum area, and that it is detrimental and a menace to the safety, health and welfare of the inhabitants and users thereof and of the Locality at large, because of blighted and deteriorated conditions, environmental problems and fire hazard problems, and the members of the Governing Body have been fully apprised by the City and are aware of these facts and conditions; and

WHEREAS, the City has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Program in accordance with the Urban Renewal Plan; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the City of Pikeville, Model Cities and Community Development Agency as a result of studies, surveys and inspections in the area comprising the Program and the assembling and analysis of the data and information obtained from such studies, surveys and inspection; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the redevelopment area and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Development Plan for the Program, in conformity with the contract for financial assistance between the City and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

MINUTES } CITY OF PIKEVILLE

WHEREAS, there has been prepared and referred to the Board of Commission of the Locality (herein called the "Governing Body") for review and approval an Urban Renewal Plan (Development Plan) for the redevelopment area, identified as the "Fairview Urban Renewal Plan", dated February, 1977, and consisting of pages and two (2) maps; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I of the Housing & Community Development Act of 1974, including those prohibiting discrimination because of race, color, creed, sex or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PIKEVILLE, KENTUCKY:

- (1) That it is hereby found and determined that the redevelopment area comprising the Program is a slum and blighted area and qualifies as an eligible area under Chapter 99 of the Kentucky Revised Statutes.
- (2) That the Development Plan for the Program, having been duly reviewed and considered, is hereby approved, and the City Clerk be and is hereby directed to file said copy of the Development Plan with the minutes of this meeting.
- (3) That it is hereby found and determined that where clearance is proposed that the objectives of the Development Plan cannot be achieved through more extensive rehabilitation of portions of the urban renewal area comprising the Program.
- (4) That it is hereby found and determined that this slum and blighted area is detrimental and a menace to the safety, health and welfare of the inhabitants and users thereof and of the Locality at large, because of blighted and deteriorated conditions, environmental problems and major fire hazard problems.
- (5) That it is hereby found and determined that the Development Plan for the Program conforms to the general plan of the Locality.
- (6) That it is found and determined that the financial aid to be provided pursuant to the contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Development Plan for the area comprising the Program.
- (7) That it is hereby found and determined that the Development Plan for the redevelopment area comprising the Program will afford maximum opportunity consistent with the sound needs of the Locality as a whole, for the renewal of the area by private enterprise.
- (8) That it is hereby found and determined that the Development Plan for the redevelopment area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan.
- (9) That it is hereby found and determined that the Program for the proper relocation of individuals and families displaced in carrying out the Development Plan in decent, safe and sanitary dwellings in conformity with acceptable standards, is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families, are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the areas comprising the Program, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their present or potential places of employment.
- (10) That a shortage of housing of sound standards and design adequate for family life exist in the Community and that the need for housing accommodations will be increased as a result of the demolition of residential units in slum or blighted areas under this Development Plan.
- (11) That, in order to implement and facilitate the effectuation of the Development Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other public facilities, and other public action, and, accordingly, this Body hereby
 - (a) pledges its cooperation in helping to carry out the Development Plan,
 - (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Development Plan, and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the Development Plan.

MINUTES } CITY OF PIKEVILLE

(12) That financial assistance under the provisions of Title I of the Housing and Community Development Act of 1974 is necessary to enable the land in the areas comprising the Program to be renewed in accordance with the Development Plan for the Program, and accordingly, the proposed Program is approved.

At Pikeville, Pike County, Kentucky this 1st day of March, 1977.

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.

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

Commissioner Thomas J. Howell seconded the Motion.

Upon roll call the vote was as follows:

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

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 Robert Amos, Jr. made the motion to adopt 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.

Commissioner Robert Amos, Jr. suggested that the date be set for a public hearing to hear grievances concerning the gas-line reconstruction. Commissioner Amos also suggested that Mr. Jess Collier, Acting City Manager, have the Foreman and City Engineer, Evans McGraw, inspect the lines and compile an estimate on damages.

John Forsyth stated that he felt the By-Laws for the Community Services Commission that the City Commission approved on February 28, 1977, were in violation of KRS Chapter 61, in that the citizens are required to sign attendance forms if they wish to vote. He suggested that the By-Laws be modified by having citizens to sign registration forms to vote.

Mayor Hambley stated that he understood the By-Laws to read that to attend the meeting you are not required to identify yourself; you only must identify yourself in relation to voting. Mayor Hambley stated that the Commission would not modify Article III on Voting in the By-Laws unless it was recommended by the City Attorney.

Mr. David Dacus stated that when the Community Services Commission was still under the auspices of the Model City Program in 1968, some By-Laws were adopted and in those By-Laws it provides for amendment to the By-Laws. It requires that the proposed changes be submitted in writing at a regular called meeting, and that has to take place 30 days prior to the voting on the amendment. Mr. Dacus stated that the Model City Program then switched to Community Development and those Community Services Commission By-Laws were still in effect. In October 1976, a Resolution was approved by the City Commission which presented a new Community Services Commission structure and By-Laws, but the City Commission excluded all By-Laws except for Article I (Purpose). Mr. Dacus stated that he felt the former By-Laws passed in 1968 were still in effect. On November 18, 1976, the Community Services Commission met and new changes in the By-Laws were proposed and recorded in the Minutes of the meeting which was 30 days in advance to the next meeting at which they were voted on and adopted by the Community Services Commission. Mr. Dacus stated that he felt the new set of By-Laws approved by the City Commission on February 28, 1977, were not passed properly. He stated that he was questioning whether or not it is proper for the new By-Laws to go into effect due to the procedure by which they were changed.

MINUTES } CITY OF PIKEVILLE

Mayor Hambley stated that the By-Laws approved by the City Commissioners on February 28, 1977 were the By-Laws in effect now and any changes hereafter will follow the proper procedure.

Mr. Dacus asked what happened to the By-Laws that were approved previously.

Mayor Hambley stated that they were never approved by the City Commission.

Jack Page stated that he was on the Committee that drafted the previous set of By-Laws under the Community Development Block Grant Law. He stated that they were approved by the Community Services Commission.

John Forsyth suggested that a Revision Committee be set up and that the revisions be approved by the Community Services Commission and the City Commission.

Mary Lou Draughn, Director of Community Development Agency, stated that in the original organization of the Model City Program, all voting members were appointed by the City Commission and only some members of the task forces were allowed to vote. She stated that now with the new plan, everyone can vote that is a resident or property owner in the City of Pikeville.

Jack Page stated that the question that needs to be resolved is who has the authority to determine who is eligible to vote in the Community Services Commission Meetings.

Mayor Hambley stated that the City Commission makes the determination as to who should be representing the citizens of the City.

Mr. Robert Atkins, a citizen of Fairview, stated that the living conditions in Fairview were deplorable, and that he would like to see everyone work together to improve Fairview. He stated that while small technicalities were being argued about, improvement and progress is delayed.

Mr. David Dacus stated that he did not question the content of the new By-Laws but he did not agree with the procedure followed in adopting the By-Laws. He requested that the next time the By-Laws were changed, he be notified and consulted as to the change.

Mary Lou Draughn requested that the Community Services Commission inform her or the Mayor of their changes or proposals in advance.

Mayor Hambley stated that with the former Community Services Commission structure, all people were represented including minorities and the poor.

Mary Lou Draughn stated that there was no poor representation or minority representation now on any Community Services Commission Committee.

Mr. Dacus stated that there was a place on every task force committee for anyone that was interested to serve.

Mrs. Betsy Venters suggested that the City Commission and citizens read the HUD regulations on Citizens Participation, in part 570-900 D, it states what is included in the Citizens Participation Plan.

Commissioner Ratliff requested to know what prior to the meeting of December 9, 1976, what By-Laws and Structures were being operated under before that meeting.

Mr. Jack Page stated that it was his understanding that Model Cities By-Laws were adopted and operated under... members of the Community Services Commission were appointed by the Mayor, then Model Cities terminated and it became a matter of Community Development. It then became a matter of adopting By-Laws for a Citizens Body under a new law under which to his knowledge there had been no By-Laws under that law. He stated that he was on the committee with Homer Robinson and Chester Smith that met and took the By-Laws under the Model City Program and made some changes probably the biggest change being to broaden the membership and that was presented at the Community Services Commission Meeting...these were not amendments, there was no 30 day notice and it was simply a matter of presenting By-Laws under a new law to a Citizens group and they were adopted by that group. The By-Laws that were adopted had provisions for amendments. He said he was not familiar with the present law, but if it was like the Model Cities Program, the Citizens Participation Group is advisory and whatever was done became action to the extent that the City Commission approved it. Mr. Page stated that these By-Laws to the best of his knowledge were not presented to the City Commission

MINUTES } CITY OF PIKEVILLE

for approval. He did not think it was necessary at that time and does not think it necessary now. Mr. Page stated that as he understood it, what the City Commission was saying was that these former By-Laws are not acceptable now.

Commissioner Ratliff requested to know if there was anything in the former By-Laws specifying who was eligible to vote at the Community Service Commission Meetings.

Mr. Dacus answered that the members originally appointed unless amended by the appointing authority.

Commissioner Amos asked if any By-Laws had ever been presented to the City Commission for approval.

Mr. Dacus stated that the former By-Laws were presented to the Community Services Commission for approval.

Mr. Jack Page stated that the former By-Laws were adopted under a law that expired.

John Forsyth stated that he felt it didn't make any difference who voted because it's all purely advisory anyway.

Commissioner Amos asked the Fairview residents that were present if any objected to the Fairview Urban Renewal Plan.

There were no objections.

Mayor Hambley stated that the City Commission was established to serve the people and that the City Commission would continue to serve in the best interests of the people.

Mayor Hambley directed Jess R. Collier, Jr., Acting City Manager, to begin filling the potholes in the City Streets.

Commissioner Sidney Ratliff made the motion to adjourn. 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 - MARCH 14, 1977

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

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 February 28, 1977 (Regular Meeting) and March 1, 1977 (Adjourned)