

**MINUTES OF COUNCIL MEETING  
NOVEMBER 13, 2008  
6:30 P.M.**

The Murray City Council met in regular session on Thursday, November 13, 2008, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

**Council Members Present:** Danny Hudspeth, David Ramey, Dan Miller, Pat Scott, Jeremy Bell, Linda Cherry, Pete Lancaster, Jason Pittman, Robert Billington, Jane Brandon, and Bill Wells.

**Council Members Absent:** Butch Seargent.

**Staff Present:** Chief Ken Claud, J. L. Barnett, Ron Allbritten, Dennis Thompson, Philip Morris, Cathy Morris, Michael Skinner, Candace Dowdy, David Roberts, Don Rogers, Alan Lanier, Matt Mattingly, Harla McClure, and Warren Hopkins.

Minutes of the council meeting held October 23, 2008, were presented for approval. **Mr. Pittman moved, seconded by Mr. Billington,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Velvet Milkman, coach for the Murray State University Golf Team. Ms. Milkman stated that the Student Athlete Advisory Council helped with the National Make a Difference Day on October 25<sup>th</sup> by collecting canned goods for Needline. She stated that the students collected 173 canned goods and perform many services for the community. This year they presented a \$1500 check to Habitat for Humanity. Ms. Milkman encouraged everyone to come out to the November 22<sup>nd</sup> basketball game and bring a canned good for Needline.

Mayor Rushing recognized Danny Hudspeth, Chairman of the Public Safety Committee, and requested that he provide a report. Mr. Hudspeth stated that the committee met pursuant to a request from restaurant owners to remain open longer on New Year's Eve. **Mr. Hudspeth moved, as unanimously recommended by the Public Safety Committee,** to authorize the city attorney to draft an ordinance amending the alcohol to extend the hours to sell alcohol for New Year's Eve to 12:15 a.m. for December 31, 2008 only. **Mr. Lancaster seconded the motion.** Eddie Johnson, owner of J. Edwards Restaurant, requested that the Public Safety Committee allow that the ordinance be amended to allow restaurants with a limited liquor by the drink license to stay open past midnight in order for the patrons to celebrate New Year's with a toast. He told the committee that he would like to have a champagne toast and will be staying open until 1:00 a.m. to offer anyone coffee, tea, and dessert. With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Pete Lancaster, Dan Miller, Jason Pittman, David Ramey, Pat Scott, and Bill Wells.

**NAYES:** Danny Hudspeth, Jeremy Bell, Jane Brandon, Linda Cherry, Robert Billington.

Mayor Rushing declared the recommendation approved by a vote of 6-5.

Mr. Hudspeth stated that the Committee had received a request from Mr. Pittman to have the Traffic Committee perform an assessment where Pine Street intersects North 5<sup>th</sup>, North 6<sup>th</sup>, and North 7<sup>th</sup> and determine if a stop sign is appropriate to be placed at those intersections. The will complete their assessment and forward their recommendation

**Ordinance Number 2008-1475** (second reading) an ordinance creating a new section to Chapter 32, Architectural Review Board, to create a historic overlay district was presented to the council on a second reading. **Mr. Lancaster moved, seconded by Mr. Wells** to adopt said ordinance.

Matt Mattingly, Director of Administration, stated no property owners will be required to update their property. This ordinance only applies when property owners decide to make an exterior modification. If a property owner wants to do routine maintenance like painting, repair siding, or any general routine maintenance, they are not required to go before the Architectural Review Board.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, and Bill Wells.

**NAYES:** Jane Brandon and Pat Scott.

Mayor Rushing declared said ordinance adopted on a second reading by a vote of 9-2 and will be recorded in Ordinance Book Number 7, Page \_\_\_\_\_.

**Ordinance Number 2008-1476** (second reading) an ordinance amending Ordinance Number 2008-1464 which adopted the fiscal year 2008-2009 City of Murray Annual Budget by estimating revenues and appropriating funds for the operations of City government to amend the Capital Expenditures for Administration for repairs to city hall for phase 2 windows and exterior repairs was presented to the council on a second reading. **Mr. Pittman moved, seconded by Mr. Billington** to adopt said ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Pat Scott, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared said ordinance adopted on a second reading and recorded in Ordinance Book Number 7, Page \_\_\_\_\_.

**Municipal Order 2008-020** reappointment of Sam Underwood to the Code Enforcement Board for a 3 year term which will expire November 11, 2011 was presented to the council for

approval. **Mr. Hudspeth moved, seconded by Mr. Pittman** to approve same. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Municipal Order 2008-021** reappointing Chuck Foster to the Murray Calloway County Park Board for a 4 year term which will expire November 1, 2012 was presented to the council for approval. **Mr. Lancaster moved, seconded by Mr. Pittman** to approve same. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mayor Rushing asked for a motion to convene to executive session to pursuant to KRS 61.810(c) pending litigation. **Mr. Pittman moved seconded by Mr. Billington** to convene to executive session. With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Pat Scott, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared that the council had convened to executive session at 6:47 p.m.

**Mr. Wells moved, seconded by Mr. Pittman** to reconvene to open session. With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Pete Lancaster, Jeremy Bell, Dan Miller, Linda Cherry, Robert Billington, Jason Pittman, David Ramey, Jane Brandon, Pat Scott, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared that the council was back in open session.

Mr. Wells provided the following information for the 68<sup>th</sup> Make a Difference Day held on October 25, 2008: 209 eyeglasses; 200 pounds of clothes; 174 inkjet cartridges; 41 cell phones; 4 tons of glass; 35 tons of paper; 1000 pounds of aluminum cans; and two 5 gallon containers of old drugs.

With no further business to come before the council, the meeting adjourned at 7:38 p.m.

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H. Thomas Rushing, Mayor

Attest:

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Harla McClure, City Clerk